

IN THE CIRCUIT COURT OF THE CITY OF ST. LOUIS
TWENTY-SECOND JUDICIAL CIRCUIT
STATE OF MISSOURI

A.A., P.M., D.D., R.F., M.B., A.H., T.S., D.M.,
P.M. 2, E.G., E.B., J.W., K.D., M.D., P.M. 3,
V.W., A.P., A.B., J.H., K.P., M.B. 2, W.M.,
M.C., J.B., D.R.

JURY TRIAL DEMANDED

Case No. _____

Plaintiffs

vs.

ARCHDIOCESE OF ST. LOUIS,
ARCHBISHOP MITCHELL T. ROZANSKI,
JOHN DOE I

Defendants

PETITION FOR DAMAGES

1. COME NOW the Plaintiffs, A.A., P.M., D.D., R.F., M.B., A.H., T.S., D.M., P.M. 2, E.G., E.B., J.W., K.D., M.D., P.M. 3, V.W., A.P., A.B., J.H., K.P., M.B. 2, W.M., M.C., J.B., D.R. ("Plaintiffs"), and for their causes of action against Defendants alleges as follows:

NATURE OF PETITION

2. Defendants Archdiocese of St. Louis ("Archdiocese") and Archbishop Mitchell T. Rozanski in his official capacity ("Archbishop") have knowingly enabled, covered up, and concealed that for multiple decades their employees sexually abused minors. Moreover, Defendants have covered up and concealed their own intentional misconduct in enabling this sexual abuse by exploiting the trusting and confidential relationship the Defendants encouraged and established with Plaintiffs while they were impressionable young children. This shameless cover-up spanned decades and allowed various clergy and other employees to access and sexually

abuse numerous children, including Plaintiffs, and hindered Plaintiffs from discovering their causes of action against the Defendants for their negligent and intentional conduct.

3. Plaintiffs bring this lawsuit in order to hold the Defendants responsible for the injuries Defendants have caused and to protect other children from the pain of childhood sexual abuse.

JURISDICTION AND VENUE

4. This Court has jurisdiction over the causes of action asserted herein and over the parties to this action. Plaintiffs assert claims under Missouri common law. This Court has jurisdiction because Defendants Archdiocese and Archbishop are licensed to do business or transact business in Missouri and have obtained the benefits of the laws of the State of Missouri and the benefits of the Missouri location for their parishes, schools, and other locations set forth herein. All of the sexual molestation, harassment, abuse, and fraudulent activity described herein occurred in the State of Missouri.

5. Venue is proper in the City of St. Louis, Missouri under R. S. Mo. § 508.010, inasmuch as this is the place of first injury is located in St. Louis City, Missouri.

PARTIES

6. Plaintiff A.A. is an adult resident citizen of St. Peters, Missouri.

7. Plaintiff P.M. is an adult resident citizen of St. Louis, Missouri.

8. Plaintiff D.D. is an adult resident citizen of Imperial, Missouri.

9. Plaintiff R.F. is an adult resident citizen of St. Louis, Missouri.

10. Plaintiff M.B. is an adult resident citizen of Town and Country, Missouri.

11. Plaintiff A.H. is an adult resident citizen of St. Louis, Missouri.

12. Plaintiff T.S. is an adult resident citizen of St. Louis, Missouri.

13. Plaintiff D.M. is an adult resident citizen of Kirkwood, Missouri.
14. Plaintiff P.M. 2 is an adult resident citizen of Rolla, Missouri.
15. Plaintiff E.G. is an adult resident citizen of St. Louis, Missouri.
16. Plaintiff E.B. is an adult resident citizen of St. Louis, Missouri.
17. Plaintiff J.W. is an adult resident citizen of Ballwin, Missouri.
18. Plaintiff K.D. is an adult resident citizen of Florissant, Missouri.
19. Plaintiff M.D. is an adult resident citizen of Bakersfield, California.
20. Plaintiff P.M. 3 is an adult resident citizen of Boonville, Missouri.
21. Plaintiff V.W. is an adult resident citizen of Florissant, Missouri.
22. Plaintiff A.P. is an adult resident citizen of Arnold, Missouri,
23. Plaintiff A.B. is an adult resident citizen of Arcola, Illinois.
24. Plaintiff J.H. is an adult resident citizen of St. Louis, Missouri.
25. Plaintiff K.P. is an adult resident citizen of St. Louis, Missouri.
26. Plaintiff M.B. 2 is an adult resident citizen of St. Louis, Missouri.
27. Plaintiff W.M. is an adult resident citizen of St. Louis, Missouri.
28. Plaintiff M.C. is an adult resident citizen of California.
29. Plaintiff J.B. is an adult resident citizen of St. Louis, Missouri.
30. Plaintiff D.R. is an adult resident citizen of St. Louis, Missouri.
31. The Plaintiffs were minor residents of the State of Missouri at the time of the sexual abuse alleged herein.
32. Plaintiffs join their claims pursuant to Mo. R. Civ. P. 52.05 as they assert a right or rights to relief jointly, severally, or in the alternative in respect of or arising out of the same

transaction, occurrence or series of transactions or occurrences and questions of law or fact common to all of them will arise in the action.

33. At all times material, Defendant Archdiocese of St. Louis (hereinafter “Archdiocese”) was and continues to be a not-for-profit corporation doing business in Missouri with its principal place of business located at 20 Archbishop May Drive, St. Louis, Missouri.

34. Defendant Archbishop Mitchell T. Rozanski is a citizen of the State of Missouri and is the Archbishop of the Roman Catholic Archdiocese of St. Louis in Missouri and is sued solely in his capacity as an officer, director and / or chief executive officer of the Archdiocese of St. Louis. Given the official capacity in which he is sued, he is hereinafter referred to as “Archbishop” which term encompasses all Archbishops who officially supervised or failed to supervise the employee abusers set forth herein.

35. Archbishop was the supervisor of the abusers identified herein and at all times acted on behalf of or at the behest of the Archdiocese.

36. Defendant John Doe I was a priest at St. Ambrose Catholic Church known as Father Joe. He sexually abused Plaintiff A.A. while A.A. was a minor. A.A. does not presently know the full identity of Father Joe and will move for substitution of parties upon learning of the correct individual to serve with process.

37. All of the perpetrators of sexual abuse upon Plaintiffs as set forth below at all times acted at the behest of, in the course and scope of employment of, and under the control of the Archdiocese and Archbishop.

38. For many decades, the Archdiocese has known of the sexual abuse perpetrated upon its young parishioners and children in the community by several of its employees, agents, servants, priests, reverends, brothers, nuns, teachers, chaplains, or other persons acting at the behest of, in

the course and scope of employment of, and under the control of the Archdiocese and Archbishop. Defendants often transferred the perpetrators to a different location within the Archdiocese and/or the Catholic Church or sent them away for treatment before returning them to unsupervised access to children. To the extent it published anything at all about this misconduct, the Defendants often came to the defense of the perpetrators even in the face of known convictions of sexual abuse.

39. For example, Father James L. Gummersbach was ordained in 1954. Father Gummersbach was employed at St. Patrick Parish in Rolla, Immaculate Conception in Union, St. Gregory in St. Ann, Immaculate Conception in St. Louis, Annunziata in Ladue, Immaculate Conception in Park Hills, St. Rose of Lima and St. Agnes in St. Louis, and Little Flower Parish in Richmond Heights. He was also a chaplain at St. Joseph Hospital in St. Charles, St. Louis Children's Hospital and Deaconess Hospital. Father Gummersbach admitted in a 1994 lawsuit that he abused boys in several parishes over decades. Moreover, in a sworn statement, he acknowledged that from his ordination in 1954 through the 1990's that "the only known action taken by the defendant archdiocese in response to the accusations that defendant Father Gummersbach had sexual contact with minors was to transfer Father Gummersbach and instruct him to obtain personal counseling." In 1999, a St. Louis jury awarded \$1.2 Million to a man who alleged that Father Gummersbach sexually abused him as a boy in the 1960s. Several other victims testified at the trial. While the verdict was overturned, the matter was resolved by settlement. Father Gummersbach was removed from the ministry in 1994 and laicized in 2006. The Archdiocese never told any Plaintiffs herein of its knowledge and coverup of abuse by Father Gummersbach and others.

40. Father Thomas "Tom" J. Graham was ordained in 1960. He taught at St. Thomas Aquinas High School from 1960-64 and was associate pastor at Good Shepherd Parish in

Ferguson, Missouri from 1960 to 1966, St. Mary in Bridgeton, Missouri from 1966 to 1973, St. Pius V Parish in St. Louis, 1973-75, the Basilica of St. Louis, King of France (Old Cathedral) from 1975 to 1980, and a chaplain at Nazareth Living Center in 2002 when he was placed on administrative leave after criminal charges. He was a pastor at St. Alban Roe Parish in Wildwood, Missouri from 1980 to 1989 and St. Bernadette Parish in Lemay, Missouri from 1989 to 1999. Father Graham sexually abused a minor in 1970 and was sentenced to 20 years in prison. Multiple other parishioners have come forth with claims of wrongful sexual conduct against Father Graham. The Archdiocese turned a blind eye to his problematic history of sexual abuse of minors dating back as far as 1966 until 2002 when it placed him on administrative leave and canonical suspension. Nonetheless, the Archdiocese never told any Plaintiffs herein of its knowledge and coverup of abuse by Father Graham and others.

41. Father Leroy Valentine was ordained for the Archdiocese of St. Louis in 1977. Father Valentine served at several different locations including Immacolata in Richmond Heights (1977), Mary Queen of Peace in Webster Groves (1981), St. Pius X in Glasgow Village (1982), St. Gabriel the Archangel in south St. Louis (1984), Immaculate Heart of Mary in south St. Louis (1988), St. Joseph in Farmington (1994), Sacred Heart in Elsberry (1994) and St. Thomas the Apostle in Florissant (1999). In 1995, Father Valentine was named in a lawsuit against the Archdiocese for sexual misconduct with a minor while he was associate pastor of St. Pius X Parish in Glasgow Village in 1982, at which time he was placed on administrative leave. In 1998, the Archdiocese paid a settlement to three children who accused him of sexual misconduct. Father Valentine was sent for treatment and transferred, but never completely removed from the ministry until 2013. Nonetheless, the Archdiocese never told any Plaintiffs herein of its knowledge and coverup of abuse by Father Valentine and others.

42. Michael S. McGrath was a St. Louis archdiocesan priest, ordained in 1975. He assisted in parishes in Florissant, Wentzville, Overland, Concord Village, Pagedale, Bridgeton, and was lead priest in Jennings. In 1993 the Archdiocese placed Father McGrath on leave and sent for him to treatment for a year after the Archdiocese received an allegation of sexual misconduct but returned him to active ministry. In 1997 he was suspended again after a concerned priest reported that Father McGrath had taken a group of boys on a trip to New Orleans. The Archdiocese allowed and enabled Fr. McGrath to establish the Catholic Student Transportation Service under the auspices of the Archdiocese. He bought several buses with Church funds and used them to transport underage students across state lines to Illinois and elsewhere. He allowed them to drive and abused them while they drove. Approximately 21 lawsuits have been filed by people who alleged abuse by Father McGrath. Father McGrath was laicized in 2005. Nonetheless, the Archdiocese never told any Plaintiffs herein of its knowledge and coverup of abuse by Father McGrath and others.

43. Reverend James A. Beine was removed from ministry in 1977 as a result of allegations of sexual abuse and formally defrocked in 2005. He was convicted of possession of child pornography and sexual misconduct, and the St. Louis Circuit Attorney's office has received at least 36 complaints of child sexual abuse involving Father Beine. Upon information and belief, Father Beine moved to Illinois and changed his name to Mar James. Upon information and belief, the Archdiocese enabled him in his efforts to accept a position as a teacher, for which the Archdiocese gave a recommendation. Nonetheless, the Archdiocese never told any Plaintiffs herein of its knowledge and coverup of abuse by Father Beine and others.

44. Father Donald H. Heck abused an altar boy in 1990, and the Archdiocese of St. Louis sent him to treatment for stress and reassigned him. In 1991 he was indicted, convicted of

sexual assault in 1992, and sentenced to four years imprisonment. He registered as a sex offender and died in 2015. The Archdiocese never told any Plaintiffs herein of its knowledge and coverup of abuse by Father Heck and others.

45. Father Hubert Creason was ordained in St. Louis in 1958. He served in a missionary apostolate in southern Missouri and then in 1960 was named assistant pastor of the old Ste. Louise de Marillac Parish in Jennings. In 1971 he became associate pastor of Mary, Queen of Peace Parish in Webster Groves and later became pastor of Ascension Parish in Normandy in 1978, Our Lady, Queen of Peace Parish in House Springs in 1983 and St. James in 1991. Amidst two legitimate allegations of sexual misconduct decades earlier, Father Creason resigned in 2002. The Archdiocese never told any Plaintiffs herein of its knowledge and coverup of abuse by Father Creason and others.

46. Father Kevin Hederman was ordained for the St. Louis archdiocese in 1975 and went on to serve as an assistant priest at a number of parishes. He was pastor of North American Martyrs parish and chaplain of Christian Brothers College High School in the 1990s. There, he was accused of sexually abusing a male high school student several years earlier. Reverend Hederman was subsequently sent out of the country to Belize. The Archdiocese took up collections from several of its parishes to support Father Hederman's work in Belize. In 2009 another man accused Father Hederman in a lawsuit of sexually abusing him when he was a high school student in St. Louis in the early 1990s. Father Hederman was removed from active ministry. Multiple other allegations of sexual misconduct have been lodged against Father Hederman. The Archdiocese never told any Plaintiffs herein of its knowledge and coverup of abuse by Reverend Hederman and others.

47. Father Norman Christian is believed to have abused at least twelve parishioners between 1963 and 1986. Upon information and belief, he was sent to a treatment center run by the Servants of the Paracletes, a center designed for treatment and rehabilitation of catholic priests with personal difficulties in 1986. A personnel file believed to have been maintained by the Archdiocese noted that Father Christian took a boy to his room at the rectory and molested him 10 or 11 times. The Archdiocese removed him from active ministry in 1995 after at least 8 boys came forward with allegations of abuse. He was arrested in St. Louis in 2003 on sexual abuse charges and later named in several civil suits filed in 2004 and 2005. He was buried as a priest in good standing. The Archdiocese never told any Plaintiffs herein of its knowledge and coverup of abuse by Father Christian and others. One survivor of Father Christian's sexual abuse brings suit herein.

48. Father James P. Grady was a priest at Holy Innocents Catholic Parish. He worked at various other Archdiocese locations. He was arrested in 2009 after arranging via the internet to have sex with a 16-year-old girl at a secret location. Later indictment said child pornography was found on his computer. He was placed on a leave of absence from the Archdiocese. In 2010, he pleaded guilty to charges involving child pornography and an agreement to pay for sex with a 16-year-old child. He was sentenced to more than six years imprisonment, registered as a sex offender, and was laicized. The Archdiocese never told any Plaintiffs herein of its knowledge and coverup of abuse by Father Grady and others.

49. Several other employees, agents, servants, clergy, and others acting at the behest of and under the control of the Defendants sexually abused Plaintiffs as set forth herein. Upon information and belief, the Archdiocese knew of and covered up the sexual abuse and deviant tendencies of not only these abusers but of the Archdiocese and Archbishop as well.

50. In September 2018, the Archbishop and Archdiocese promised to publish the names of clergy who had substantiated claims of sexual abuse of minors against them. The Archbishop and Archdiocese failed to release the names until July 26, 2019, when they released a list of 66 names of Archdiocese clergy whose sexual deviance and/or abuse was substantiated.

51. In September 2019, the Missouri Attorney General (“AG”) referred 12 former clergy members for criminal prosecution as a result of sexual deviance. In its report dated September 13, 2019, the AG reported:

For decades, faced with credible reports of abuse, the church refused to acknowledge the victims and instead focused its efforts on protecting its priests. During this time, the responsibility for evaluating and responding to reports of abuse and misconduct was controlled by a small circle of priests in diocesan leadership and the bishops.

Lay members of the church were generally not informed of reports, much less allowed a role in dealing with them. The standard response to reports of abuse by church leadership was to move an offending priest into a short-term period of treatment and then reassign him to public ministry in a new parish. Members of an offending priest’s old and new parishes were not notified of the reason for a transfer in these cases. At best, victims were offered limited counseling services to help recover from the abuse.

52. Notwithstanding the Church’s painfully delayed and untimely publication of substantiated abusers and the AG’s exposure of the intentional conduct of the Archdiocese in causing this sexual abuse, the Archdiocese nonetheless never advised Plaintiffs, other parishioners, or community members of their intentional misconduct in enabling and ultimately perpetrating the abuse on the Plaintiffs and other children similarly situated.

BACKGROUND FACTS APPLICABLE TO ALL COUNTS

53. Plaintiffs incorporate by reference all paragraphs of this Petition as if set forth fully herein.

54. Plaintiffs were children at the time of the events set forth in this Petition. They did not understand and could not comprehend the actions of the those who abused them. Moreover, they did not factually, nor could they legally consent to the abuse perpetrated by their abusers.

55. At all times material hereto, the abusers set forth herein, including but not limited to Defendant John Doe I (collectively "Abusers") were employees, agents, or servants of and under the direct supervision and control of the Archdiocese and its representative the Archbishop, both of whom had the right to control the Abusers. All acts of sexual abuse alleged herein took place during functions in which the Abusers had custody or control of Plaintiffs in their role as a priest or other authority figure.

56. At all relevant times, the Archdiocese and Archbishop did not act in any manner to protect the young children of its parishes, churches, community, and other organizations within its ambit. To the contrary, the Archbishop and Archdiocese engaged in several decades of intentional misconduct in turning a blind eye to the sexual abuse of its priests and other employees. Instead of removing the Abusers from their employ and control and reporting the abuse to authorities as required by law, Defendants enabled and emboldened Abusers to continue perpetrating horrific conduct upon Plaintiffs by giving Defendants' employees, agents, and servants unfettered access to Plaintiffs and other children by reassigning the Abusers to another parish or organization, sending Abusers away for treatment for a short time, or otherwise failing to take any remedial action whatsoever. As a result of the actions and inactions of the Archbishop and the Archdiocese, Plaintiffs and other children were abused.

57. As a result of misrepresentations made by and failures to disclose of the Defendants Archdiocese, Archbishop and the Abusers identified herein, and by virtue of the fact that

Defendants held themselves out as the counselors and instructors on matters that were spiritual, moral, and ethical, Defendants had domination, custody, and influence over Plaintiffs.

58. In addition, by accepting the care, custody and control of the minor Plaintiffs, Defendants stood in the position of an in loco parentis relationship with the minor Plaintiffs. As a result of these special relationships between Plaintiffs, Defendants, and the Abusers, Plaintiffs trusted and relied upon Defendants to nurture and protect them while in Defendants' care and custody. The power imbalance between young children and the Defendants and Abusers increased Plaintiffs' vulnerability to all Defendants and Abusers.

59. Defendants held a position of trust and confidence in the care and supervision of Plaintiffs constituting a fiduciary relationship and a duty to disclose to Plaintiffs their knowledge of the sexual abuse occurring within the Archdiocese before and after the abuse identified herein and to disclose their own culpability in enabling and perpetrating said abuse.

60. At the time that the Abusers had unlawful sexual contact with Plaintiffs, all Defendants falsely represented to Plaintiffs that Defendants and Abusers were providing spiritual counseling, comfort, mentorship and advice to Plaintiffs.

61. The actions of Defendants identified herein were outrageous and utterly repugnant to a civilized society.

62. Defendants Archbishop and Archdiocese knew or should have known that by allowing the Abusers access to young children as part of their official duties after reports of impropriety involved an unreasonable risk of causing emotional distress to Plaintiffs and other similarly situated individuals.

63. The actions of the Archdiocese and Archbishop that enabled the Abusers to have access to children and hold themselves out as priests, father figures, or mentors to their parishioners

and young children with whom they came into contact, were outrageous and utterly repugnant to a civilized society. All Defendants acted with depraved hearts knowing harm would occur, including the damages to Plaintiffs described herein and other similarly situated children. Defendants knew or should have known this outrageous behavior would cause emotional distress to the families of the victims and the victims, including Plaintiffs.

64. The sexual abuse of Plaintiffs and the circumstances under which the abuse occurred, caused one or more Plaintiffs to develop various psychological coping mechanisms and symptoms of psychological distress, including repression of memory, great shame, guilt, self-blame and depression. As a result, one or more Plaintiffs were unable to know or have reason to know that they were victims of sexual abuse committed upon them by the Abusers identified herein. The sexual abuse and exploitation of the Plaintiffs and the circumstances under which it occurred caused one or more Plaintiffs to develop various psychological coping mechanisms which made them incapable of ascertaining the resulting damages from that conduct.

65. Furthermore, upon information and belief, after learning of the wrongful conduct of Defendants and the Abusers identified herein, one, multiple, or all Plaintiffs were distinctly injured for the first time or distinctly injured in addition to prior damage resulting from the actions and omissions of Defendants. Defendants individually and/or by and through its agents, ratified the wrongful conduct described herein by failing to report it to law enforcement authorities, the Plaintiffs, prospective parishioners, current parishioners, their families, victims, and the public.

66. Defendants' conduct in concealing their own culpability communicated to Plaintiffs and other victims that Defendants' conduct was proper and that legal action was not necessary. Defendants knew or should have known, that their actions would silence Plaintiffs and

other victims, prevent them from discovering their injuries, their complaints or possible other complaints or victims, and ultimately exacerbate their emotional distress and trauma.

67. Defendants' conduct in misrepresenting the extent to which they knew of the Abusers' conduct prior to and after the abuse described herein prevented Plaintiffs from learning that they had a cause of action against Defendants.

68. By absconding or concealing themselves and/or by other improper acts, the Defendants Archdiocese and Archbishop prevented the commencement of this action for many years, and in many cases several decades.

69. Moreover, the improper acts of and concealment by the Archbishop and Archdiocese constituted a legal hindrance to and impairment of all Plaintiffs' ability to know of or maintain a cause of action against the Archdiocese and Archbishop.

70. One, multiple, or all Plaintiffs never contacted an attorney, told anyone else about their abuse, or knew of their cause of action against Defendants until recently.

71. As such, Plaintiffs' claims either did not accrue until within five years of the filing of this Petition or, in the alternative, they accrued and were tolled pursuant to the doctrine of fraudulent concealment, repressed memory, and/or delayed discovery until within five years of the filing of this Petition.

72. Defendants therefore cannot succeed or assert, and/or are equitably estopped from raising, any defense that Plaintiffs' action is not timely because Defendants individually and in concert with each other fraudulently concealed the wrongfulness of the conduct set forth herein and the causal relationship of the harm suffered by Plaintiff.

73. As a direct result of Defendants' wrongful conduct, Plaintiffs have suffered and continue to suffer great pain of mind and body, shock, emotional distress, physical manifestations

of emotional distress, embarrassment, loss of self-esteem, disgrace, humiliation, and loss of enjoyment of life; were prevented and will continue to be prevented from performing their daily activities and obtaining the full enjoyment of life; have sustained loss of earnings and earning capacity; and/or have incurred and will continue to incur expenses for medical and psychological treatment, therapy, and counseling.

Sexual Abuse of A.A.

74. A.A. was born in 2002 and lived in St. Peters, Missouri, St. Charles County when he was sexually abused.

75. A.A. was raised in a devout Catholic household. In approximately 2014, A.A.'s family moved to St. Peters, Missouri and began looking for a new Catholic church to attend after moving.

76. A.A.'s family attended several Masses and events at St. Ambrose Catholic Church ("St. Ambrose"), located at 5130 Wilson Avenue, St. Louis, Missouri 63110, in the City of St. Louis.

77. St. Ambrose was under the direct supervision, employ and control of Defendants Archdiocese and Archbishop.

78. A.A. attended summer events at St. Ambrose during the summers of 2014 and 2015.

79. A.A.'s mother or one of his mother's friends introduced him to John Doe I, the priest at St. Ambrose, known as Father Joe and whose full identity Plaintiff expects to learn through the course of discovery, at a St. Ambrose event. John Doe I was approximately 6' in height with a heavier build. He had balding grey hair, was clean shaven, and wore glasses.

80. In the summer of 2015, before A.A. entered the 6th grade, John Doe I, the priest at St. Ambrose sexually abused A.A.

81. As part of the scheme to sexually abuse A.A., John Doe I initially helped A.A. with his homework. Then, John Doe I took A.A. to basketball games, played basketball with A.A., and took A.A. swimming at a pool. On one occasion at the pool, Father Joe stroked and fondled A.A.'s penis.

82. On several other occasions, John Doe I drove A.A. to the local recreation center. There, Father Joe stroked and fondled A.A.'s penis. In John Doe I's car, he stroked and fondled A.A.'s penis.

Sexual Abuse of P.M.

83. P.M. was born in 1974 and was living in St. Louis City, Missouri when he was sexually abused by Father Gummersbach.

84. Father James Gummersbach sexually abused P.M. from approximately 1986 to 1991, when P.M. was between the ages of approximately 12 and 17.

85. P.M.'s friend, Robert, accompanied Father Gummersbach to P.M.'s neighborhood where Father Gummersbach befriended the neighborhood boys, including P.M. As part of the scheme to sexually abuse P.M, Father Gummersbach took the neighborhood boys to McDonalds and Father Gummersbach's athletic club (Missouri Athletic Club) to play basketball. Father Gummersbach also treated the boys to ice cream.

86. McDonalds and the Missouri Athletic Club were at all relevant times located in St. Louis City, Missouri.

87. Father Gummersbach took P.M. to St. Rose of Lima, then located at 1015 Goodfellow Boulevard in St. Louis City, Missouri.

88. At St. Rose of Lima, P.M. sat with Father Gummersbach while Father Gummersbach worked. Father Gummersbach also took P.M. to Missouri Athletic Club in St. Louis City, Missouri where P.M. played basketball.

89. After playing basketball with P.M. at the Missouri Athletic Club, Father Gummersbach lured P.M. to the sauna where Father Gummersbach exposed his genitals to P.M. and forced P.M. to remove his clothes.

90. Father Gummersbach forced P.M. to masturbate himself and masturbate Father Gummersbach.

91. Father Gummersbach sexually abused P.M. at the Athletic Club many times for several years.

92. Additionally, Father Gummersbach took P.M. to Father Gummersbach's mother's home. At Father Gummersbach's mother's home and garage, Father Gummersbach exposed his genitals to P.M., forced P.M. to remove his clothes, forced P.M. to masturbate himself, and forced P.M. to masturbate Father Gummersbach.

93. Father Gummersbach often paid P.M. with a check after the sexual abuse.

94. Father Gummersbach was under the direct supervision, employ, and control of Defendants Archdiocese and Archbishop.

95. P.M. never told anyone that Father Gummersbach sexually abused him until this year.

96. P.M. repressed memories about the sexual abuse.

97. P.M. engaged in psychological coping mechanisms that prevented ascertainment of his injuries.

Sexual Abuse of D.D.

98. D.D. was born in 1977 and raised in the City of St. Louis, Missouri at the time of abuse set forth herein.

99. D.D. was raised by a devoutly Catholic mother who encouraged D.D. to volunteer regularly at the church. D.D.'s parents sent D.D. to Catholic school when they could afford it so that he could receive a quality education. D.D., influenced by his parents, trusted and obeyed the Catholic Church and its employees.

100. D.D. was a student at Immaculate Heart of Mary ("Immaculate Heart"), located at 4092 Blow St, St. Louis, Missouri 63116 within St. Louis City, for one semester in or around 1990 at the ages of approximately 13 and 14.

101. At all relevant times, Immaculate Heart was under the direct supervision, employ, and control of Defendants Archdiocese and Archbishop.

102. D.D. regularly served morning Mass before school began. Father Valentine assisted the elementary-aged students in serving Mass and often interacted with D.D.

103. One morning after serving morning Mass, D.D. was alone in the back room of the church where altar boys stored their vestments and liturgical objects.

104. Father Valentine entered the back room, hugged D.D. from behind, and groped D.D.'s genitals and buttocks over the clothes.

105. Father Valentine stated that he liked to be physically intimate with all the altar boys and asked D.D. if he wanted to drink some of the altar wine.

106. D.D. was uncomfortable and tried to move away but Father Valentine held him in place. Using this physical coercion and in exploitation of his position of trust and confidence,

Father Valentine masturbated D.D., forced D.D. to administer oral copulation on him, and forcibly administered oral copulation on D.D.

107. Father Valentine said that D.D. should not tell anyone about the sexual abuse because his peers would think he was homosexual. Father Valentine also stated that no one would believe D.D. if he disclosed the sexual abuse.

108. Father Valentine sexually abused D.D. one to three times a week for D.D.'s entire eighth grade semester.

109. On one occasion during the period of abuse, Father Valentine showed up at D.D.'s house while D.D. was out sick from school. D.D.'s father answered the door and asked why Father Valentine was at their house in the middle of the day. Father Valentine claimed that he was collecting charity around the neighborhood and asked if D.D. was home. D.D. hid from Father Valentine until he left.

110. D.D. did not report Father Valentine's sexually abusive behavior to any family members, friends, lawyers, medical professionals, or religious figures. D.D. feared being perceived differently by his peers and loved ones.

111. In or around 2020, a friend of D.D. said that he saw news of Father Valentine's sexually abusive behavior and the attempts by the Catholic Church to conceal his abuse. Learning of this news caused D.D. to feel panic, anger, depression, and fear.

Sexual Abuse of R.F.

112. R.F. was born in 1972 and attended St. Gabriel the Archangel Church ("St. Gabriel") located at 6303 Nottingham Avenue, St. Louis, Missouri 63109, in St. Louis City.

113. St. Gabriel was at all relevant times located in St. Louis City.

114. At all relevant times, St. Gabriel was under the direct supervision, employ, and control of Defendants Archdiocese and Archbishop.

115. R.F. attended religious school at St. Gabriel from approximately 6th through 8th grade, when R.F. was approximately 12 to 15 years old, when R.F. was sexually abused by Father Leroy Valentine.

116. R.F. was recruited to be an altar boy.

117. As part of the scheme to sexually abuse R.F., Father Valentine brought R.F. to the rectory where Father Valentine offered R.F. a cooler filled with beer and pornographic magazines. Father Valentine also gave R.F. money for serving as an altar boy.

118. Father Valentine forced R.F. to undress and fondled R.F.'s genitals in one of St. Gabriel's confession rooms which was open, unlike conventional confessionals.

Sexual Abuse of M.B.

119. M.B. was born in 1959 and lived in Lemay, Missouri in St. Louis County at the time of the abuse set forth herein.

120. M.B. was a lifelong parishioner at St. Andrew Catholic Church ("St. Andrew"), located at 309 Hoffmeister Avenue, St. Louis, Missouri 63125 in St. Louis City.

121. M.B. was raised in a devoutly Catholic family. His father served as an usher at St. Andrew and his mother regularly volunteered within the church. M.B. attended Catholic grade school, high school, and college.

122. M.B.'s parents raised him to respect, trust, and obey the Catholic Church and its employees.

123. M.B. first met Father James Beine when he was a priest at St. Andrew.

124. Around 1972, Father Beine was transferred from St. Andrew to St. Francis de Sales, located at 2653 Ohio Ave, St. Louis, Missouri 63118 in St. Louis City. After Beine was transferred, he continued to contact M.B.

125. At all relevant times, St. Andrew and St. Francis de Sales were under the direct supervision, employ, and control of Defendants Archdiocese and Archbishop.

126. St. Andrew and St. Francis de Sales were at all relevant times located in St. Louis City.

127. While serving as a priest at St. Francis de Sales, Father Beine additionally served as a chaplain to the police department. Father Beine regularly invited M.B. for rides in a police vehicle.

128. In 1974 when M.B. was 14 years old, Father Beine asked M.B. to share a twin-sized bed with him at the rectory in St. Francis de Sales. M.B. initially resisted sharing a bed with Father Beine, but Father Beine insisted that it was too cold in the rectory to sleep by himself, and M.B. did as he was told.

129. M.B. was awakened by Beine masturbating M.B.'s genitals. M.B. was scared and asked Beine to stop, but Father Beine pretended to be asleep while masturbating M.B. and did not respond. M.B. attempted to push Beine's hand off his genitals, but Father Beine forcibly persisted.

130. Sometime in the mid to late 2000s, M.B. visited the website of the Archdiocese of St. Louis which had a link to report the sexual abuse of clergy members directly to the Archdiocese. M.B. reported his experience with Father Beine on this website. No one ever followed up with M.B. regarding his report.

Sexual Abuse of A.H.

131. A.H. was born in 1990 and lived in the St. Louis City, Missouri at the time of abuse.

132. A.H. was a student at Holy Innocents Catholic Parish and Grade School ("Holy Innocents"), located at 4923 Odell St, St. Louis, Missouri 63139, in St. Louis City, from approximately 1996 to 2002. The parish is now closed.

133. At all relevant times, Holy Innocents was under the direct supervision, employ, and control of Defendants Archdiocese and Archbishop.

134. A.H. was raised by a devoutly Catholic mother. A.H. attended mass every Sunday, volunteered at church regularly, and sang in the church's choir.

135. A.H.'s mother sent A.H. and her sister to Catholic school so they could have a good education and a worthy life. A.H.'s mother instilled in A.H. a deep respect, trust, and reverence for the Catholic Church and its agents.

136. A.H. was enrolled in the school's special education program at Holy Innocents due to an intellectual disability, where Father James P. Grady was a priest and Sister Annette was a nun and teacher. A.H. expects to learn the full identity of Sister Annette during the course of discovery.

137. In approximately 1999, when A.H. was between the ages of eight and nine, Father Grady took A.H. to the sacristy and gave her a new uniform. There, Father Grady ordered A.H. to undress in front of him so she could try on her new uniform.

138. A.H. was apprehensive, so Father Grady pedaled a falsehood to manipulate her, claiming that he talked to her father who said that it was okay and that "changing in front of me is like changing in front of your dad."

139. A.H. did as she was told and removed her clothes. Once A.H. was undressed, Father Grady ordered A.H. to give him sexual favors or else she would go to Hell. Father Grady forced A.H. to masturbate him and perform oral copulation on him. Then, Father Grady forcibly raped A.H.

140. Father Grady physically abused A.H. and called her a “nasty bitch” as punishment for involuntary urinating during the course of the sexual abuse.

141. When A.H. attempted to resist the sexual abuse, Father Grady threatened to kill her.

142. Father Grady sexually abused A.H. two to four times a week from approximately 1999 to 2002, when A.H. was approximately between the ages of 8 to 12.

143. Father Grady sexually abused A.H. in the rectory, the sacristy, and the girls' bathroom at Holy Innocents. On several such occasions, Father Grady bound A.H. to the cross by her hands and feet and sexually abused her while restrained.

144. Shortly after Father Grady started to sexually abuse A.H., Sister Annette ordered A.H. to stay behind after class. Sister Annette said that she heard about Father Grady's sexually abusive behavior and claimed that A.H. was being a “bad girl.” Sister Annette ordered A.H. to pull down her pants and proceeded to penetrate A.H.'s vagina and anus with her fingers and a foreign object. Sister Annette forced A.H. to administer oral copulation on Sister Annette's anus.

145. Sister Annette sexually abused A.H. every weekday from approximately 1999 to 2002, when A.H. was approximately between the ages of 8 and 12. Sister Annette punished A.H. with detention when A.H. resisted her sexually abusive behavior.

146. On one occasion, A.H. witnessed Father Grady and Sister Annette having sexual intercourse in the church.

147. Sometime during the period of abuse, Father Grady and Sister Annette called the Missouri Department of Social Services ("MDSS") and falsely claimed that A.H.'s parents were sexually and physically abusing A.H.

148. A.H. attempted to tell other priests and the principal of Holy Innocents about Father Brady and Sister Annette's sexually abusive behavior. A.H.'s abusers and Archdiocese said she was lying.

149. From approximately 2002 to 2004, A.H. was enrolled in school at Epiphany of Our Lord Parish ("Epiphany"), located at 6596 Smiley Ave, St. Louis, Missouri 63139, St. Louis City.

150. At all relevant times, Epiphany was under the direct supervision, employ, and control of Defendants Archdiocese and Archbishop.

151. While A.H. was a student at Epiphany, she met a white, heavy-set male priest, approximately 6'4 in height, and estimated to be in his 40s ("A.H. Abuser"). A.H. Abuser had scarring on his face. A.H. expects to learn the full identity of A.H. Abuser during the course of discovery.

152. In approximately 2002 when A.H. was between the ages of 11 and 12, A.H. Abuser lured A.H. into the rectory under the guise of organizing paperwork. There, A.H. Abuser forcibly undressed A.H., forced her to masturbate him, to administer oral copulation on him, and raped her.

153. A.H. Abuser stated that he wished to get A.H. pregnant "like Mary Mother of Jesus."

154. A.H. Abuser sexually abused A.H. in this manner on a near-daily basis from approximately 2002 to 2004, when A.H. was between the ages of 12 and 14.

155. When A.H. attempted to resist the abuse, A.H. Abuser threatened to “lock [A.H] up where no one could find [her],” among other heinous threats.

156. A.H. Abuser threatened to take her away from her family and keep her for sex if she ever told anyone about the abuse.

Sexual Abuse of T.S.

157. T.S. was born in 1963 and lived in St. Louis, Missouri, in St. Louis City, at the time of the abuse.

158. From approximately 1975 to 1977, when T.S. was in approximately the 7th and 8th grade, T.S. served as an altar boy at Saint Hedwig Catholic Church, located at 3202 Pulaski Street, St. Louis, Missouri 63111 in St. Louis City.

159. Saint Hedwig Catholic Church was under the direct supervision, employ and control of Defendants Archdiocese and Archbishop.

160. While T.S. was serving as an altar boy, T.S. met Father Vincent Heier.

161. Father Heier took T.S. and another boy to the movies, bought T.S. ice cream, and gave T.S. money for a homecoming event.

162. The first time Father Heier sexually abused T.S., Father Heier took T.S. to the church pool to swim. While they were swimming, Father Heier fondled, groped and masturbated T.S.’s genitals.

163. On another occasion, Father Heier said he had something to show T.S. and brought T.S. to Saint Hedwig’s rectory.

164. In the rectory, Father Heier sat T.S. on the bed and showed T.S. a game of Monopoly. Father Heier suggested they play a version of Monopoly that required players of the game to remove clothing.

165. While explaining the rules of this version of Monopoly, Father Heier fondled T.S.'s genitals.

Sexual Abuse of D.M.

166. D.M. was born in 1966, and currently resides in Kirkwood, Missouri, St. Louis County.

167. D.M. lived in St. Louis, Missouri, in St. Louis City when he was sexually abused.

168. D.M. attended St. Cecilia Catholic School ("St. Cecilia"), located at 906 Eichelberg Street, St. Louis, Missouri 63111, St. Louis City from third to eighth grade.

169. At all relevant times, St. Cecilia was under the direct supervision, employ and control of Defendants Archdiocese and Archbishop.

170. Father William Vatterott sexually abused D.M. between 2008 and 2011, when D.M. was between the ages of 11 and 14.

171. Father Vatterott served as the priest at St. Cecilia and the associated parish, St. Cecilia Catholic Church, located at 5418 Louisiana Ave, St. Louis, Missouri 63111. Father Vatterott also coached D.M. on the school track and cross-country teams.

172. D.M. was a devout Catholic who served as an altar boy and frequently volunteered at St. Cecilia Catholic School and Church.

173. D.M. had an abusive father. D.M. used Catholicism and St. Cecilia as an emotional and physical escape. Father Vatterott acted as a father-figure to D.M., offering him emotional support and comfort and providing food and clothing.

174. Father Vatterott made sexual jokes to embarrass and harass D.M., made sexual gestures with his hands pointing towards D.M.'s genitals, and asked D.M. for pornographic photographs.

175. The FBI interviewed J.M. regarding Father Vatterott's arrest for possession of child pornography.

Sexual Abuse of P.M. 2

176. P.M. 2 was born in 1971 and lived in St. Louis, Missouri, St. Louis City, when a Father figure (hereinafter P.M. 2 Abuser) sexually abused him.

177. P.M. 2 and his family were frequent parishioners at Saint Teresa of Avila ("St. Teresa"), located at 2431 N. Grand Boulevard, St. Louis, Missouri 63106, located in St. Louis City.

178. P.M. 2 attended church every Sunday, every holiday, and served as an altar boy.

179. P.M. 2 was baptized and confirmed at St. Teresa.

180. As a child, P.M. 2 was taught to respect priests and clergy members. P.M. 2 was told to treat clergy members as if they were his father.

181. P.M. 2 attended Central Catholic Community School, located at 2401 Carr Street, St. Louis, Missouri 63106, in St. Louis City, from kindergarten to 5th or 6th grade.

182. Central Catholic Community School ("Central Catholic") was associated with St. Theresa and St. Bridget of Erin ("St. Bridget"). Central Catholic was housed at St. Bridget's parish.

183. St. Bridget was under the direct supervision, employ, and control of Defendants Archdiocese and Archbishop.

184. P.M. 2 Abuser sexually abused P.M. 2 from about 1979 to 1980, when P.M. 2 was ages 8 and 9.

185. P.M. 2 met P.M. 2 Abuser when he was in the 1st grade. P.M. 2 Abuser served Mass at Central Catholic but was not one of P.M. 2's teachers.

186. P.M. 2 was involved with the local Boy Scout troop which met in the basement at St. Bridget. P.M. 2 was also involved with a program for children with special needs which met in the basement at St. Bridget.

187. P.M. 2 Abuser lived in the rectory at St. Bridget.

188. On one occasion after one of P.M. 2's programs, P.M. 2 was one of the last children to leave the basement area at St. Bridget.

189. P.M. 2 Abuser came downstairs to the basement and fondled P.M. 2's buttocks and touched his penis. P.M. 2 Abuser also kissed P.M. 2's mouth with his tongue.

Sexual Abuse of E.G.

190. E.G. was born in 1973.

191. E.G. resided in St. Louis, Missouri, in St. Louis City at the time of the abuse.

192. E.G. attended St. Vincent DePaul Parish ("St. Vincent") located at 1408 S 10th Street, St. Louis, Missouri 63104, St. Louis City, as a child.

193. At all relevant times, St. Vincent was under the direct supervision, employ, and control of Defendants Archdiocese and Archbishop.

194. E.G.'s mother was a drug addict and abused E.G. St. Vincent provided programs for families and children in need, so E.G. spent much of her time attending the church's after school program and summer program. There, an authority figure believed to have gone by the name of and known to E.G. as "Father Tom" sexually abused E.G. E.G. expects to learn the full identity of his abuser during the course of discovery. E.G. expects to learn the full identity of Father Tom during the course of discovery.

195. E.G. attended a two-week camping trip in the summer of 1982 when she was 9 years old with Father Tom.

196. Upon arrival at the campgrounds, E.G. and others stepped on a trap which released a log that hit E.G. in the face and severely injured her.

197. E.G. stated she received no medical support and believes she had a concussion.

198. E.G. was later taken by Father Tom to the lake where Father Tom was helping E.G. learn to swim.

199. Father Tom floated in the lake with E.G. on top of his body. E.G. felt Father Tom's erect penis out of his swim trunks on her legs. Father Tom fondled E.G.'s genitals and attempted to move E.G.'s swimsuit bottoms to the side and digitally penetrated E.G.

200. Over the span of the two weeks, Father Tom additionally attempted to follow E.G. into the bathroom and groped E.G.'s buttocks.

201. E.G. believed Father Tom to be kind and trustworthy prior to the abuse.

Sexual Abuse of E.B.

202. E.B. was born in 1957.

203. E.B. lived in St. Louis, Missouri, in St. Louis City, when Sister Eileen sexually abused her at the Blessed Sacrament School ("Blessed Sacrament"), located at 2727 N Kings Highway Boulevard, St. Louis, Missouri 63113, St. Louis City where E.B. attended kindergarten to 8th grade.

204. E.B. was raised in a devout Catholic household.

205. Blessed Sacrament was under the direct supervision, employ and control of Defendants Archdiocese and Archbishop.

206. E.B. attended Mass 6 days a week.

207. E.B. was taught from a young age that speaking negatively about priests, nuns, the Catholic church, or the archdiocese was wrong.

208. E.B. was taught from a young age that, if you told your parents about Catholic authority members' physical abuse, nothing would be done because "the kids deserved it."

209. Sister Eileen sexually abused E.B. from 1977-1981, when E.B. was approximately 10 to 14 years old. On several occasions, Sister Eileen brought E.B. to Sister Eileen's office under the pretext of disciplining E.B. There, Sister Eileen groped E.B.'s vagina and buttocks. On several other occasions, Sister Eileen, who taught some of E.B.'s classes, groped E.B.'s vagina and buttocks in the classroom.

210. Plaintiffs expect to learn the full identity of Sister Eileen during the course of discovery.

Sexual Abuse of J.W.

211. J.W. was born in 1958 and lived in St. Louis County (South County) when Brother Anthoneous sexually abused her.

212. J.W.'s mother was a devout Catholic and raised J.W. in kind. J.W. was baptized, received her First Holy Communion, confirmed, and gave confession.

213. J.W. attended St. Martin of Tours Catholic School ("St. Martin"), located at 618 W Ripa Avenue, St. Louis, Missouri 63125 in St. Louis County, from 1st to 5th grade.

214. J.W. attended Sunday School and attended Mass almost every day.

215. At St. Martin, one of J.W.'s teachers, Sister Nadine, taught J.W. to respect and trust priests and the Church. Sister Nadine also taught J.W. that the Church was the ultimate authority.

216. In 1963 or 1964, when J.W. was 5 or 6 years old, J.W. was hospitalized twice at St. Alexius Brother's Hospital ("St. Alexius"), formerly located and at all relevant times at 3933 S Broadway, St. Louis, Missouri, 63118, St. Louis City.

217. At the time, J.W.'s mother was employed at St. Alexius Hospital as a dietary assistant.

218. While J.W. was hospitalized, an individual believed to have gone by the name "Brother Anthoneous", whose full identity Plaintiffs expect to learn during the course of discovery, came into J.W.'s hospital room after visiting hours to give J.W. a "blessing." J.W. expects to learn the full identity of Brother Anthoneous during the course of discovery. Brother Anthoneous and St. Alexius were both under the direct supervision, employ, and control of Defendants Archdiocese and Archbishop.

219. Brother Anthoneous pulled down J.W.'s panties and pulled up her hospital gown and invasively fondled J.W.'s vagina.

220. As Brother Anthoneous was leaving J.W.'s hospital room, Brother Anthoneous told J.W. "You know your mother works here and you want her to keep her job, right?"

221. Brother Anthoneous visited J.W.'s hospital room to sexually abuse her on one other occasion. Upon information and belief, additional incidents of abuse occurred which J.W. has blocked out of her mind in whole or in part.

222. J.W. never told anybody about the abuse because she was scared her mother would be fired from her job.

223. J.W. understood that her mother respected Brother Anthoneous.

224. J.W. was taught from a young age that "you don't say anything negative about religious leaders, and you respect the archdiocese and its members" and that priests "were always right."

Sexual Abuse of K.D.

225. K.D. was born in 1962, and lived in St. Louis, Missouri, located in St. Louis City, when Father Bob sexually abused him.

226. K.D. was raised in a Protestant household. K.D. was taught to respect his teachers and do as he was told by adults. K.D. was instilled with a deep respect for authority figures.

227. In approximately 1972, K.D.'s parents placed K.D. and his siblings in a summer program at St. Barbara Church ("St. Barbara"), located at 1371 Hamilton Ave, St. Louis, Missouri 63112 in St. Louis City. St. Barbara Church is now St. Augustine's. K.D. and his siblings attended the Catholic summer program because it was roughly one block from K.D.'s childhood home and provided children with fun activities.

228. St. Barbara was under the direct supervision, employ, and control of Defendants Archdiocese and Archbishop.

229. K.D. was approximately 10 years old at the time. K.D. met a priest known to K.D. as "Father Bob" through this program. K.D. expects to learn the full name and identity of his abuser through the course of discovery,

230. Father Bob regularly made sexual comments towards K.D. and told sexual jokes about him to other youths in the program which embarrassed and humiliated K.D.

231. On one occasion, K.D. arrived at the church summer program in red socks, which was not allowed under program rules. A program staff member sent K.D. to Father Bob to be disciplined.

232. Father Bob ordered K.D. into the bathroom and forced him to remove his pants and underwear. Father Bob fondled K.D.'s bare genitals.

233. Father Bob attempted to penetrate K.D.'s anus with his penis but was unable to, so he said he needed to "loosen [K.D.] up." Father Bob brought a large, gold-colored phallic object into the bathroom. Father Bob penetrated K.D.'s anus with the foreign object.

234. When he finished sexually abusing K.D., Father Bob said that K.D. would "burn in Hell for all eternity" if he ever disclosed the abuse to anyone.

235. After the sexual abuse, Father Bob gave K.D. candy bars.

Sexual Abuse of M.D.

236. M.D. was born in 1955.

237. M.D. resided in St. Louis Missouri, in St. Louis City, when he was sexually abused by Sister Mary David Joseph.

238. M.D. attended St. Edwards Roman Catholic Church ("St. Edwards"), located at 2701 Clara Avenue, St. Louis, Missouri 63112.

239. St. Edwards is now permanently closed.

240. St. Edwards was at all relevant times located in St. Louis City.

241. At all relevant times, St. Edwards was under the direct supervision, employ, and control of Defendants Archdiocese and Archbishop.

242. In approximately 1961, when M.D. was six years old, M.D. was sexually abused by Sister Mary David Joseph ("Sister Mary") approximately 25 times.

243. Sister Mary fondled M.D.'s genitals.

Sexual Abuse of P.M. 3

244. P.M. 3 was born in 1979.

245. P.M. 3 was raised in a non-denominational Christian household and attended church services most Sundays.

246. P.M. 3 was a resident at St. Joseph's Home for Boys, located at 4753 South Grand Avenue, St. Louis, Missouri 63111 in St. Louis City, from 1991 to 1994.

247. At all relevant times, St. Joseph's Home for Boys was under the direct supervision, employ, and control of Defendants Archdiocese and Archbishop.

248. P.M. 3 was taught by St. Joseph's Home for Boys to respect and trust Catholic authority. P.M. 3 and the other boys at the home were punished if they did not listen to the priests and staff. St. Joseph's Home for Boys policed how P.M. 3 acted, dressed, and behaved, taking away privileges (e.g. being able to leave on the weekend) if their actions were deemed disrespectful.

249. In August or September of 1994, when P.M. 3 was 15 years old, a staff member at St. Joseph's Home for Boys, sexually abused P.M. 3.

250. During the summer of 1994, Delilah who was white, approximately 23-27 years old and had a petite build, blonde hair and blue eyes, was working as a staff counselor at St. Joseph's Home for Boys. P.M. 3 expects to learn the full identity of Delilah through the course of discovery.

251. Delilah was in charge of supervising the boys at St. Joseph's and organizing recreational activities at the home.

252. As part of her scheme to sexually abuse P.M. 3, Delilah frequently complimented P.M. 3's appearance. Delilah also asked P.M. 3 personal questions about his life to gain P.M. 3's trust.

253. On one occasion, Delilah told P.M. 3 she needed help retrieving something.

254. Delilah brought P.M. 3 to the Bishop's office in St. Joseph's Home for Boys and wrapped P.M. 3's arms around her, as if P.M. 3 was hugging Delilah from behind. Next, Delilah

bent over in front of P.M. 3 with her buttocks pressed against P.M. 3's genital area and forced P.M. 3 to fondle her breasts.

255. On another occasion, during a meal, P.M. 3 approached Delilah requesting permission to retrieve something from his dormitory.

256. In P.M. 3's dormitory, Delilah initiated playful roughhousing.

257. Delilah wrapped P.M. 3's arms around her, as if P.M. 3 was hugging Delilah from behind. Next, Delilah bent over in front of P.M. 3 with her buttocks pressed against P.M. 3's genital area.

Sexual Abuse of V.W.

258. V.W. was born in 1958.

259. V.W. resided in St. Louis, Missouri, in St. Louis City, at the time of the abuse.

260. V.W. was raised in a Catholic home and went to mass with her family every Sunday. She was baptized and confirmed and generally was raised to trust people of the church and show them the utmost respect. V.W. at some point wanted to be a nun. She attended Catholic school through high school.

261. When V.W. was approximately 11 or 12 years old, V.W. met a priest named Father Toohey. At the time, V.W. attended a school program at Most Holy Rosary, located at 3905 Clarence Ave, St Louis, Missouri 63115 in St. Louis City. As part of the school program, V.W. attended mass daily.

262. Most Holy Rosary was under the direct supervision, employ and control of Defendants Archdiocese and Archbishop.

263. In 1969, V.W.'s art teacher asked V.W. to remain after mass to change the missals.

264. While V.W. was changing the missals, Father Toohey approached V.W., grabbed her hand, told her he had not seen her for some time, and asked her to help him close the doors of the church. V.W. expects to learn the full identity and spelling of Father Toohey during the course of discovery.

265. When V.W. helped Father Toohey close the doors, Father Toohey pushed V.W. against the wall and groped, fondled, and rubbed V.W.'s breasts and vagina under her school uniform. Father Toohey was breathing heavily while he touched V.W.'s vagina.

Sexual Abuse of A.P.

266. A.P. was born in 1965, and resided in St. Louis, Missouri at the time of abuse.

267. A.P. was raised in a devout Catholic home and lived in St. Louis City when he was sexually abused.

268. As a boy, A.P. attended Mass every Sunday and on all holidays with his family. His family stressed the importance of respecting clergy members and religious figures.

269. A.P. was instructed to treat priests and teachers as if they were his parents and listen to everything they instructed or said. He was baptized, confirmed, and attended Catholic school, initially at St. Anthony's of Padua School ("St. Anthony's"), located at 3140 Meramec Street, St. Louis, Missouri 63118 from kindergarten through fourth grade.

270. Then, he attended St. Justin the Martyr from fifth through eighth grade. St. Justin the Martyr was located at 11910 Eddie & Park Rd, St. Louis, Missouri 63126, St. Louis City.

271. St. Anthony's was under the direct supervision, employ, and control of Defendants Archdiocese and Archbishop.

272. From approximately September 1973 to June 1974, when A.P. was in the fourth grade, a priest ("A.P. Abuser") at St. Anthony's sexually abused A.P. He was in his 60s,

approximately 6' in height, had short white hair, and was balding in the center of his head. A.P. expects to learn the full identity of A.P. Abuser during the course of discovery.

273. A.P. Abuser came to A.P.'s classroom and told A.P.'s teacher that A.P.'s help was needed for a task. He brought A.P. to the basement of the school, took his pants off, and forced A.P. to remove his pants, proceeded to fondle A.P.'s genitals, forcibly performed oral copulation on A.P., and forced A.P. to perform oral copulation on A.P. Abuser. He abused A.P. in this manner at least 20 times.

274. A.P. Abuser gave A.P. candy bars after sexually abusing him.

Sexual Abuse of A.B.

275. A.B. was born in 1977.

276. In approximately fall of 1988, A.B., at approximately 11 years old, was admitted to Deaconess Hospital located at 6100 Oakland Avenue, St. Louis, Missouri 63110, St. Louis City. Deaconess Hospital has since been closed and torn down.

277. Deaconess Hospital was at all relevant times located in St. Louis City. At all relevant times, Deaconess Hospital was under the direct supervision, employ, and control of Defendants Archdiocese and Archbishop.

278. A.B. was raised in a devoutly Catholic family.

279. A.B. was hospitalized for an eating disorder for five and a half months from the fall of 1988 to early winter of 1989.

280. Approximately two weeks into A.B.'s hospitalization, a priest began sexually abusing her.

281. The priest (“A.B. Abuser”) was approximately 5’7 in height, in his mid to late 60s, had short white hair, and had a bald spot in the back of his head. A.B. expects to learn the identity of A.B. Abuser through the course of discovery.

282. Every morning, at approximately 4:30am, A.B. Abuser snuck into A.B.’s room. A.B. would wake up to the priest leaning over her bed, pulling up her gown, and fondling her breasts.

283. The priest sexually abused A.B. at least five times a week for at least six weeks.

Sexual Abuse of J.H.

284. J.H. was born in 1982 and raised in St. Louis, Missouri, St. Louis City, at the time of the abuse set forth herein.

285. J.H. currently resides in St. Louis, Missouri.

286. J.H. attended St. Cecilia Catholic School (“St. Cecilia”), located at 906 Eichelberger Street, St. Louis, Missouri 63111 in St. Louis City, from 3rd to 5th grade.

287. St. Cecilia was under the direct supervision, employ, and control of Defendants Archdiocese and Archbishop.

288. J.H. grew up in a Catholic family. J.H.’s grandparents went to Mass every Sunday and J.H.’s parents went to Mass at least once a month. J.H. attended Mass on Wednesdays and Fridays at Catholic school. J.H. was baptized, received his First Holy Communion, and was confirmed. J.H.’s family and community all expressed and maintained a mutual feeling of trust in the church.

289. J.H. was sexually abused by a nun (“J.H. Abuser”) in approximately 1991, when J.H. was 10 years old and in the 4th grade. J.H. Abuser was an older Caucasian woman with grey

hair and one glass eye. J.H. expects to learn the full identity of J.H. Abuser during the course of discovery.

290. J.H. was pulled from class ostensibly for “a medical examination to check for a hernia” and was taken to an empty classroom. There, J.H. put her hand down J.H.’s pants and fondled J.H.’s genitals.

Sexual Abuse of K.P.

291. K.P. was born in 1951 and was living in St. Louis, Missouri, in St. Louis County, at the time of the abuse set forth herein.

292. K.P. currently resides in St. Louis, Missouri.

293. K.P. attended religious school at St. Matthew the Apostle Catholic Church (“St. Matthew the Apostle”), located at 2715 N Sarah Street, St. Louis, Missouri 63113 in St. Louis City.

294. St. Matthew the Apostle was at all relevant times located in St. Louis City.

295. St. Matthew the Apostle was under the direct supervision, employ, and control of Defendants Archdiocese and Archbishop.

296. K.P. attended religious school at St. Matthew the Apostle from approximately 3rd grade through 8th grade.

297. K.P. served as an altar boy and frequently served Mass, assisting before and after services.

298. K.P. was sexually abused by a visiting priest (“K.P. Abuser”) under the control and employ of the Archdiocese in 1962 when K.P. was 11 years old.

299. K.P. Abuser was an older Caucasian, heavy set man with grey hair and blue eyes who was under the direct control, employ, and supervision of the Archdiocese. K.P. expects to learn the full identity of K.P. Abuser during the course of discovery.

300. K.P. met K.P. Abuser while assisting with morning Mass. K.P. Abuser fondled K.P.'s genitals under K.P.'s clothes before and after morning Mass, digitally penetrated K.P.'s anus after morning Mass, and attempted to anally penetrate K.P.

301. K.P. Abuser abused K.P. in the storage area where materials for Mass were kept and where the altar boys would change before and after Mass.

302. K.P. Abuser abused K.P. beginning on the day they met and on approximately 10 other occasions.

303. K.P. lived with his father and grandparents, all of whom were devout Catholics. His father and grandparents believed "priests could do nothing wrong in their eyes."

Sexual Abuse of M.B. 2

304. M.B. 2 was born in 1962. M.B. 2 and resided in St. Louis, Missouri at the time of abuse.

305. In 1974 or 1975 at the age of 12 or 13, M.B. 2 was enrolled in a summer program at St. Alphonsus Liguori "Rock" Catholic Church ("the Rock"), located at 1118 N Grand Blvd, St. Louis, Missouri 63106 within St. Louis City.

306. At all relevant times, the Rock was under the direct supervision, employ, and control of Defendants Archdiocese and Archbishop.

307. M.B. 2's family was not Catholic, but enrolled M.B. 2 into the summer program at the Rock because they wanted a quality education and structured, trustworthy authority figures for M.B. 2.

308. M.B. 2, influenced by his family and the clergy people at the Rock, felt a deep trust of and obedience to the Catholic Church and its agents.

309. The summer program was run by a priest (“M.B. 2 Abuser”) who was white, male, approximately 5’9 in height, and approximately in his late 30s to early 40s. M.B. 2 Abuser had black hair and wore glasses. M.B. 2 expects to learn the full name and identity of his abuser through the course of discovery.

310. Starting when M.B. 2 first entered the program, M.B. 2 Abuser gained M.B. 2’s trust by giving M.B. 2 snacks and making friendly conversation.

311. After a few weeks, M.B. 2 Abuser asked M.B. 2 to help him retrieve an item from the stockroom. Once inside the stock room, M.B. 2 Abuser groped M.B. 2’s genitals and told M.B. 2 to follow his directions. M.B. 2 Abuser forcibly performed oral copulation on M.B. 2 and then raped him.

312. M.B. 2 Abuser sexually abused M.B. 2 at least once a week for two years, including during summer programs and when M.B. 2 visited the church after school.

313. M.B. 2 Abuser sexually abused M.B. 2 on church grounds. On many other occasions M.B. 2 Abuser took M.B. 2 to a nearby movie theater and sexually abused him there.

314. Until now, M.B. 2 has never reported the sexual abuse of M.B. 2 Abuser to friends, family, lawyers, medical professionals, law enforcement, or clergy members.

Sexual Abuse of W.M.

315. W.M. was born in 1941.

316. W.M. resided in University City, Missouri, in St. Louis County, at the time of the abuse.

317. W.M. currently resides in St. Louis, Missouri.

318. W.M.'s parents were devout Catholics, attending Mass every Sunday.
319. W.M. attended morning Mass during school in addition to Sunday Mass with his parents.
320. W.M. was baptized and confirmed.
321. W.M. attended St. Mark Catholic School, located at 4220 Ripa Avenue, St. Louis, Missouri 63125 in Franklin County. The school was converted to an all-girls catholic high school after W.M. attended and is now closed.
322. St. Mark Catholic School was at all relevant times located in St. Louis County.
323. St. Mark Catholic School was under the direct supervision, employ and control of Defendants Archdiocese and Archbishop.
324. In approximately 1947, a nun ("W.M. Abuser") was assigned to be W.M.'s teacher.
325. The W.M. Abuser sexually abused W.M. between 1947 and 1951. W.M. expects to learn the full identity of W.M. Abuser through the course of discovery.
326. In approximately 1945, when W.M. was approximately 4 years old, W.M. Abuser ordered W.M. to go into the cloakroom within the classroom. There, W.M. Abuser slapped W.M. and forcibly administered oral copulation on him.
327. W.M. Abuser sexually abused W.M. approximately two times a week from approximately 1947 to approximately 1951, when W.M. was between the ages of approximately 6 and 11.
328. In approximately 1951 at the approximate age of 11, W.M. and his family moved away from the area.

329. W.M. Abuser told W.M. that he would go to Hell if he ever disclosed the sexual abuse.

Sexual Abuse of M.C.

330. M.C. was born in 1965 and was living in the City of St. Louis, Missouri, at the time of the abuse set forth herein.

331. M.C. currently resides in California.

332. M.C. and his family attended St. Pius V Parish, located at 3310 S. Grand Blvd., St. Louis, MO 63118, in the City of St. Louis.

333. St. Pius V Parish was under the direct supervision, employ, and control of Defendants Archdiocese and Archbishop.

334. While attending St. Pius V Parish M.C. was taught to trust the Church and its Priests because Priests are the right hand of God and parishioners could go to them with anything.

335. As a result, M.C. confided in Father Thomas Graham at St. Pius V about his difficult home life.

336. Starting in approximately 1974 and continuing until approximately 1978, Father Graham, sexually abused M.C. on several occasions at St. Pius V Parish.

337. The first incident of abuse occurred when M.C. was in 4th or 5th grade, when he was an altar boy, and went to talk to Fr. Graham about personal problems with his parents. At that time Fr. Graham started touching M.C.'s shoulder and then fondled his genitals, first outside and then inside of his pants, while Fr. Graham was touching his own genitals.

338. Another time M.C. ran away from home and went to St. Pius V where Fr. Graham took him in and let him go to bed on what he believes was a fold-out bed in the Rectory. Fr. Graham came to M.C. during the night and again fondled his genitals.

339. M.C. recalls at least three other incidents when he slept on that fold-out bed in Fr. Graham's quarters at the Rectory at St. Pius V. On each of those occasions, Fr. Graham came into the bed and placed his penis on and between M.C.'s buttocks and into his rectum. M.C. recalls Fr. Graham turning him around in the bed and starting to penetrate his rectum. It was very painful.

340. M.C. had little to no memory of Fr. Graham's abuse from shortly after it ended until sometime within the last few years. In June of 2020, after the memories returned, M.C. reported his abuse to the Archdiocese of St. Louis and sought assistance. The Archdiocese rejected M.C.'s claim and denied his request for assistance. The Archdiocese failed to follow its own published policies in handling and rejecting M.C.'s request for help.

Sexual Abuse of J.B.

341. J.B. was born in 1967 and raised in the City of St. Louis, Missouri.

342. At the time of the abuse set forth herein J.B. was residing in the City of St. Louis.

343. J.B. currently resides in St. Louis, Missouri.

344. J.B. attended Most Holy Name Parish School ("Most Holy Name"), located in the City of St. Louis, Missouri, from 5th through 8th grade.

345. At all material times, Most Holy Name was under the direct supervision, employ, and control of Defendants Archdiocese and Archbishop.

346. J.B. was sexually abused by Father Edmond J. Fitzgibbon at Most Holy Name, in approximately 1978 to 1980, when J.B. was approximately 11-13 years old and in the 5th and 6th grades.

347. Father Fitzgibbon abused J.B. when he was serving as an Altar Boy, by hugging him from behind and rubbing up against him, watching him change his clothes, and touching his

genitals over his clothes. When Fr. Fitzgibbon rubbed against J.B., J.B. could feel the priest's erection.

348. In 2021 J.B. reported his abuse to the Archdiocese of St. Louis. He was interviewed by investigators for the Archdiocese and requested assistance for counseling. The Archdiocese never provided J.B. with the results of any investigation and never offered any assistance.

Sexual Abuse of D.R.

349. D.R. was born in 1967 and raised in the City of St. Louis, Missouri.

350. At the time of the abuse set forth herein D.R. was residing in the City of St. Louis.

351. D.R. currently resides in St. Louis, Missouri.

352. D.R. attended Most Holy Name Parish School ("Most Holy Name"), located in the City of St. Louis, Missouri. He served as an Altar Boy in approximately 1977-1979, from 6th to 8th grade.

353. At all material times, Most Holy Name was under the direct supervision, employ, and control of Defendants Archdiocese and Archbishop.

354. D.R. was sexually abused by Father Edmond J. Fitzgibbon at Most Holy Name, in approximately 1977 to 1979, when D.R. was 10-12 years old and in the 5th through 7th grades.

355. Father Fitzgibbon abused D.R., at first by rubbing his shoulder and patting his buttocks. As time went on, Fr. Fitzgibbon also squeezed D.R.'s buttocks.

356. In 2021 D.R. reported his abuse to the Archdiocese of St. Louis. He was interviewed by investigators for the Archdiocese and requested assistance for counseling. The Archdiocese never provided D.R. with the results of any investigation and never offered any assistance.

CAUSES OF ACTION

COUNT I – Childhood Sexual Abuse

357. Plaintiff incorporates all paragraphs of this Petition as if fully set forth herein.

358. Abusers engaged in harmful sexual contact upon Plaintiffs. That contact was aided and abetted and ratified by Defendants.

359. As a direct result of the Abusers’ conduct and the conduct of the Defendants in aiding and abetting and ratifying these actions, Plaintiffs suffered severe medically diagnosable psychological injury, emotional distress, lost earnings and lost earning capacity, past and present medical and counseling expenses, and damaged emotional development, causing Plaintiffs to engage in self – destructive and other harmful activities, including loss of hope and faith.

360. One or more Plaintiffs, because of various psychological coping mechanisms and the insidious long-term and late developing injuries, did not discover and/or could not ascertain the nature or extent of their injuries and could make no causal connection between their psychological sequelae and the abuse until recently. One or more Plaintiffs fully and completely repressed all memory of these events for an extended period of time. One or more Plaintiffs were prevented from ascertaining their cause of action against Defendants due to the Defendants’ fraudulent concealment.

COUNT II – Intentional Failure to Supervise Clergy

361. Plaintiff incorporates all paragraphs of this Petition as if fully set forth herein.

362. At all times material, Defendant Archdiocese through Archbishop and his designees, was the supervisor and employer of the Abusers.

363. The Abusers, enabled by their employment with Defendants who at all relevant times had the right to control the Abusers, engaged in actions that were known by the Archdiocese

and Archbishop. Said actions were matters over which the Archdiocese had both the power and the duty to control.

364. Defendants were aware of previous sexual misconduct by clergy within its boundaries, including the Abusers, and that future harm was certain or substantially certain to result without proper supervision and disregarded this known risk. Defendants Archdiocese caused one or more Abusers to be transferred from earlier assignments because of inappropriate touching of young boys and girls.

365. The Defendants subjected themselves to liability by retaining in their employ servants who, to their knowledge, were in the habit of misconducting themselves in a manner dangerous to others.

366. Upon information and belief, the Archbishop and his designees as the Chief Executive Officer of the Archdiocese was a supervisor of the Abusers, all of whom worked for and, under the auspices of or the apparent authority of the Archdiocese.

367. The Archbishop and his designees, including the Priests of the Archdiocese, had the duty to report to the Archdiocese unethical and/or inappropriate behavior of others including other priests.

368. The Archbishop and the Archdiocese each had the duty to report to the police, Department of Social Services or the proper legal authorities, suspicions that the children who came into contact with the Abusers might be abused.

369. The Archbishop and Archdiocese each had the duty to report to the police, Department of Social Services or the proper legal authorities, its suspicions that children who came into contact with the Abusers might be abused.

370. The Archbishop and Archdiocese each failed in their duties to supervise the actions of the other by failing to report the sexual misconduct they observed and/or of which they had notice.

371. Each of the Defendants disregarded the known risk of sexual abuse.

372. Defendants' actions and inactions caused injury to Plaintiffs.

373. One or more Plaintiffs were sexually abused on the property owned and operated by Defendant Archdiocese and/or was abused on premises that the Abusers were allowed on solely due to their status as priests or employees, servants, or agents of the Archdiocese.

374. Defendants Archbishop and Archdiocese knew or should have known that inappropriate touching of young children by their employees and/or designated agents would cause or was substantially certain to cause those children harm.

375. Despite the risk posed by the Abusers, Defendants continued to place them in positions in which they would have daily contact with children.

376. Despite the risk posed by the Abusers, Defendant Archdiocese and Defendant Archbishop ratified the actions of being alone with small children by approving and paying for travel expenses and other expenses associated with outings with children.

377. By engaging in these actions, Defendant Archdiocese and Archbishop disregarded the risk posed by the Abusers to these children.

378. All Defendants' actions and/or inactions were willful, wanton and reckless for which punitive damages and/or damages for aggravating circumstances are appropriate.

379. One or more Plaintiffs, because of various psychological coping mechanisms and the insidious long-term and late developing injuries, did not discover and/or could not ascertain the nature or extent of their injuries and could make no causal connection between their

psychological sequelae and the abuse until recently. One or more Plaintiffs fully and completely repressed all memory of these events for an extended period of time. One or more Plaintiffs were prevented from ascertaining their cause of action against Defendants due to the Defendants' fraudulent concealment.

380. As a result of Defendant Archdiocese's and Archbishop's failures to properly supervise, Plaintiffs were injured and have suffered, and continue to suffer great pain of mind and body, shock, emotional distress, physical manifestations of emotional distress that are medically diagnosable and significant, embarrassment, loss of self-esteem, disgrace, humiliation, and loss of enjoyment of life; were prevented and will continue to be prevented from performing their daily activities and obtaining the full enjoyment of life; have sustained loss of earnings and earning capacity; and/or have incurred and will continue to incur expenses for medical and psychological treatment, therapy, and counseling.

COUNT III – Negligent Failure to Supervise Children and Report Sexual Abuse

381. Plaintiffs incorporate the foregoing paragraphs of this Petition as if fully set forth herein.

382. Defendants had a duty to protect children served by their churches from known risks of harm and pursuant to Mo. Rev. Stat. Ann. § 210.115, to report sexual abuse of minors.

383. As set forth herein, since Defendants knew that the Abusers had a sexual propensity to abuse minors, the injuries inflicted upon Plaintiffs were foreseeable.

384. Defendants, by and through their agents, servants and employees, knew or reasonably should have known of the Abusers' dangerous propensities to sexually violate children.

385. Defendants had a duty to protect children commensurate with the risk of harm.

386. Since Defendants knew many of the Abusers were predators, Defendants had reasonable cause to believe that Plaintiffs were being sexually abused.

387. Defendants breached their duty to protect Plaintiffs when they failed to supervise them, placing them with known predators.

388. Defendants' actions and/or inactions were willful, wanton, and reckless.

389. As a direct result of defendants' wrongful conduct, Plaintiffs memories were repressed and have suffered and continue to suffer great pain of mind and body, shock, emotional distress, physical manifestations of emotional distress, embarrassment, loss of self-esteem, disgrace, humiliation, and loss of enjoyment of life; were prevented and will continue to be prevented from performing their daily activities and obtaining the full enjoyment of life; and/or have incurred and will continue to incur expenses for medical and psychological treatment, therapy, and counseling.

390. One or more Plaintiffs, because of various psychological coping mechanisms and the insidious long-term and late developing injuries, did not discover and/or could not ascertain the nature or extent of their injuries and could make no causal connection between their psychological sequelae and the abuse until recently. One or more Plaintiffs fully and completely repressed all memory of these events for an extended period of time. One or more Plaintiffs were prevented from ascertaining their cause of action against Defendants due to the Defendants' fraudulent concealment.

COUNT IV Negligence *Per Se*

391. Plaintiffs incorporate all paragraphs of this Petition as if fully set forth herein.

392. Defendants violated one or more statutes or regulations.

393. Plaintiffs were at all relevant times members of the class of persons intended to be protected by the statute or regulation.

394. Plaintiffs' injuries are the kind the statute or regulations were designed to prevent.

395. Defendants' violations of the statutes or regulations were the proximate cause in whole or in part of Plaintiffs' injuries herein.

COUNT IV - Breach of Special Relationship/Duty

396. Plaintiffs incorporate all paragraphs of this Petition as if fully set forth herein.

397. As set forth herein, since Defendants knew that the Abusers had a sexual propensity to abuse minors, the injuries inflicted upon Plaintiffs were foreseeable.

398. As a result of Plaintiffs being minors at the time of the sexual abuse, and by Defendants undertaking the care and guidance of the then-minor, vulnerable Plaintiffs, Defendants held a position of empowerment over Plaintiffs.

399. Defendants, by holding out themselves, the parishes and religious institutions at which the Abusers served, as safe and secure institutions and holding themselves out as shepherds and leaders of the Roman Catholic Church, solicited and/or accepted this position of empowerment. Defendants entered into a special, confidential, custodial, and/or fiduciary relationship with Plaintiffs.

400. Plaintiffs reposed trust and confidence in all Defendants as their spiritual guides, authority figures, teachers, mentors and confidantes.

401. As a fiduciary or confidante to Plaintiffs, Defendants had a duty to obtain and disclose information relating to sexual misconduct and other inappropriate behavior of Defendants' agents, including Abusers. As their caretaker, confidante and fiduciary, each Individual Defendant owed Plaintiffs the duty of trust and loyalty, and the duty to work solely for

their benefit. Moreover, Defendants had a duty to disclose to Plaintiffs and others the wrongful nature of the abuse.

402. Defendant Archdiocese breached its duties to Plaintiffs and abused its position of trust and confidence for its own personal gain, including without limitation, the following:

- a. Defendants used Plaintiffs' dependency and innocence as a child to prevent them from recognizing that the abuse was wrongful and threatened their security, their parents' love, and their everlasting soul if they told anyone of the abuse.
- b. Defendants accomplished this end by enforcing the secrecy around the acts and/or by teaching Plaintiffs that the acts were normal or necessary to the relationship.
- c. Keeping known pedophiles in the presence of children such that they would be allowed to molest Plaintiffs.
- d. Hiding the fact of the previous abuse from any individuals who might intervene including parents, state authorities, parishes, and parishioners.
- e. Failing to provide a safe environment for the children who relied upon them for their care, nurturance and support.
- f. Violating their duties of care imposed by their status as in loco parentis to the children over whom they exercised dominion and control.
- g. Failing to abide by their own internal, secular policies and procedures concerning removal, sanction, or discipline of their agents and employees, knowing the individuals whom they serve rely upon those rules, policies and procedures.
- h. Ratifying the abuse by Abusers by continuing to pay their travel expenses, allowing outings with and access to children including Plaintiffs to continue, and hiding the fact of their abuse from other individuals or organizations that might intervene to

protect the children under their care, custody and/or control after reports of abuse were made.

- i. Failing to warn Plaintiffs' families of the possibility of sexual abuse.

403. Defendant Archbishop breached his duties to Plaintiffs and abused his position of trust and confidence for his own personal gain and advancement, including without limitation, the following:

- a. The Archdiocese and its employees, servants, and agents knew that individual priests and other employees were having inappropriate physical contact with children.
- b. During therapy ordered by the Archbishop and/or Archdiocese, one or more Abusers admitted to being sexually attracted to children.
- c. Even while still in therapy, one or more Abusers began sexually abusing other children.
- d. Despite extensive knowledge of abuse by the Abusers, the St. Louis Archdiocese did not remove them from ministry promptly or at all.
- e. After allegations of abuse became known to the Archdiocese about one or more Abusers, they were sent away for treatment, the Archdiocese and/or Archbishop placed or continued to place them at an Archdiocese-sponsored ministry with access to children.
- f. Defendants enforced secrecy around sexual improprieties of one or more Abusers by placing the reputation of the Church over the safety of the children.

- g. After certain allegations were released about certain Abusers, the Archdiocese released statements suggesting that the Abusers were innocent of wrongdoing despite criminal convictions and other indicia of reliability of the accusations.
- h. At all relevant times, Defendant Archbishop and Archdiocese were mandated reporters under Missouri law. Defendants Archdiocese and Archbishop did not report the Abusers' sexual improprieties to the appropriate authorities after receiving reasonable suspicion that one or more of them may abuse children.
- i. Defendant's actions in failing to report were part of an ongoing fraudulent scheme to prevent parishioners, children and the public from knowing that one or more Abusers were predators.
- j. Defendant kept more than one pedophile in the presence of children such that they would be allowed to molest one or more Plaintiffs.
- k. One or more Abusers were eventually prosecuted for their crimes in perpetrating sodomy and other sexually deviant acts on young children. Representatives of the Archdiocese, in fact, sent letters of support to the Prosecutor seeking leniency for one or more Abusers, often after knowing for years that one or more Defendants had been abusing children. These acts were in furtherance of a fraudulent scheme to prevent parishioners, children and the public from knowing that one or more Abusers were known predators.
- l. Defendants hid the fact of the previous abuse from any individuals that might intervene including parents, state authorities, parishes, and parishioners by falsely, often by representing that one or more Abusers were individuals of character and safe to be with children at the same time that it received reports of abuse, sent one

or more Abusers to counseling and treatment, then returned them to ministry and access to children, made misleading statements to the press with the intention that the public would be duped, failed to report actions to the proper authorities even though they were mandated reporters, and tried to influence the prosecution of one or more Abusers.

m. Defendants failed to provide a safe environment for the children who relied upon them for their care, nurture and support.

n. Defendants failed to warn Plaintiffs' families of the possibility of sexual abuse.

404. Defendants violated their duty of care and duty to warn imposed by their status as in loco parentis to the children over whom they exercised dominion and control. Defendant Archdiocese failed to abide by its own internal, secular policies and procedures concerning removal, sanction or discipline of their agents and employees, knowing the individuals whom they serve rely upon those rules, policies and procedures.

405. Defendant Archbishop ratified the abuse by the Abusers by continuing to place one or more of them in parishes even after receiving multiple reports of sexual misconduct, sending one or more of them to treatment by placing them at other ministries and schools, paying travel expenses, allowing outings with and access to children including Plaintiffs to continue, moving them from parish to parish and hiding the fact of the abuse from other individuals or organizations that might intervene to protect the children under their care, custody and/or control after reports of abuse were made.

406. Abusers breached their fiduciary duties to Plaintiffs and abused their position of trust and confidence for their own personal gain, including without limitation, the following:

a. Engaging in sexual misconduct with the Plaintiffs;

- b. Representing to one or more Plaintiffs that the actions were appropriate and were part of their spiritual growth and counseling;
- c. Making sexual contact an implicit and/or explicit condition to the continuance of care, nurture, support and spiritual guidance.

407. Silencing the children abused by threatening them, making them live in secret shame, fear and degradation while then ministering to them psychologically, emotionally and spiritually.

408. Defendants' actions and/or inactions were willful, wanton and reckless for which punitive damages and/or damages for aggravating circumstances are appropriate.

409. As a direct result of Defendants' breach of their duties and special relationship with Plaintiffs, Plaintiffs have suffered, and continue to suffer great pain of mind and body, repressed memories, shock, emotional distress, physical manifestations of emotional distress, embarrassment, loss of self-esteem, disgrace, humiliation, and loss of enjoyment of life; have been prevented and will continue to be prevented from performing his daily activities and obtaining the full enjoyment of life; have sustained loss of earnings and earning capacity; and/or have incurred and will continue to incur expenses for medical and psychological treatment, therapy, and counseling.

COUNT V – Fraud and Conspiracy to Commit Fraud

410. Plaintiffs incorporate all paragraphs of this Petition as if fully set forth herein.

411. Defendants Archbishop and Archdiocese knew or should have known of the sexual misconduct and other inappropriate behavior of their agents, including Abusers as described herein.

412. Defendants engaged in trickery, deceit and acts of deluding Plaintiffs and those who were in a position to act on Plaintiffs' behalf while they were minors.

413. Defendants misrepresented, concealed or failed to disclose information relating to sexual misconduct of their agents, including engaging in willful acts intended to deceive as set forth herein.

414. At all relevant times, Defendant Archbishop and Archdiocese were mandated reporters under Missouri law. Defendants Archdiocese and Archbishop did not report Abusers' sexual improprieties to the appropriate authorities after receiving reasonable suspicion that they may abuse children.

415. Defendant's actions in failing to report were part of an ongoing fraudulent scheme to prevent parishioners, children and the public from knowing that one or more Abusers were predators.

416. Defendants kept one or more known pedophiles in the presence of children such that they would be allowed and enabled to molest Plaintiffs.

417. Defendants Archdiocese and Archbishop maintained publicly that the Priests of the Archdiocese were appropriate, well-trained and men of excellent character who were above reproach and safe role models who nurtured, trained, and formed the character of children.

418. Defendants Archdiocese and Archbishop expressly and impliedly made these representations.

419. At the time that these representations were made, the Archdiocese and Archbishop had a pattern and practice of sending priests who had abused children to the Servants of the Paraclete or other treatment facilities for perpetrating and sexually deviant priests, then returning them to ministry, including ministry with children.

420. The Archdiocese and Archbishop had a pattern and practice of moving perpetrating priests from location to location to protect the perpetrating priests from criminal penalties and civil lawsuits.

421. Although the Archdiocese and Archbishop owed the children and parents of the Archdiocese duties commensurate with their position, the Archdiocese and Archbishop kept from the parents information concerning the Abusers that would affect their decisions regarding whether to allow their children to be alone with them, including information that one or more Abusers were known to abuse children.

422. In the face of the special knowledge that the Archdiocese and Archbishop had as well as the special relationship they had with the parishioners and children of the Archdiocese, the Archdiocese and Archbishop refused to provide information to parishioners and their children about the hidden dangers that were posed by one or more Abusers.

423. Defendants Archdiocese and Archbishop intentionally represented that Abusers were fit for the ministry including his ministry with children, even after having actual knowledge that they exhibited paraphilia and engaged in boundary violations with children.

424. Defendant Archdiocese and Archbishop followed a policy that hampered investigation into allegations of sexual misconduct by its priests.

425. Defendant Archdiocese and Archbishop failed or refused to take reports by parishioners and even employees of the abuses of one or more Abusers, even after publishing a website encouraging parishioners to come forward if they have allegations of sexual abuse.

426. Defendant Archdiocese ignored reports that the Abusers were engaging in inappropriate sexual activity with children.

427. Defendant Archdiocese and Archbishop deliberately failed to warn or inform Parishioners, family members or any other individuals or organizations about Abusers using their children for their own sexual gratification, instead encouraging parishioners, including the small children, to maintain relationships with them.

428. Defendants deliberately misled its parishioners and the public in its communications regarding one or more Abusers.

429. Defendant Archdiocese and Archbishop hid the abuses of Abusers preventing investigation into them and covering up the allegations, making them accessories before, during and after the fact in the following particulars without limitation:

- a. Failing to provide a safe environment for the children who relied upon them for their care, nurturance and support;
- b. Violating their duties of care imposed by their status as in loco parentis to the children over whom they exercised dominion and control;
- c. Failing to abide by their own internal, secular policies and procedures concerning removal, sanction or discipline of their agents and employees, knowing the individuals whom they serve rely upon those rules, policies and procedures;
- d. Ratifying the abuse by Abusers by continuing to employ and support them and granting them unfettered access to children, giving them positions requiring supervisory duty over children, moving them from posting to posting to avoid being “caught” abusing children, giving them positions requiring their contact with children after having gained actual knowledge that they had a propensity to abuse children and failing to report and/or hiding the fact of his abuse from other

individuals or organizations that might intervene to protect the children under their care, custody and/or control.

430. Defendants knew that they misrepresented, concealed, or failed to disclose information they had the duty to disclose relating to sexual misconduct of its agent.

431. Defendants had superior knowledge or information not within the fair and reasonable reach of Plaintiffs and failed to disclose that information.

432. Defendants knew of the existence of the torts of sexual abuse and failure to supervise.

433. Defendants used deception to conceal these torts from Plaintiffs and those who were in a position to act on behalf of Plaintiffs while they were minors.

434. Plaintiffs relied upon that deception and concealment, remaining ignorant that torts were committed upon them.

435. The fact that Abusers had in the past and/or would in the future be likely to commit sexual misconduct with another minor was a material fact that, if known, would have influenced Plaintiffs and their family's decision whether to allow them to attend and participate in activities at church and with Defendants' agent in church sanctioned and/or sponsored activities.

436. Upon information and belief, Defendants, in concert with each other, with the intent to conceal and defraud, conspired and came to a meeting of the minds whereby they would misrepresent, conceal, and fail to disclose information relating to the sexual misconduct of Abusers, prohibiting public scrutiny or investigation into their acts of sexual misconduct.

437. By so concealing, Defendants committed at least one act in furtherance of the conspiracy.

438. Defendants' actions and/or inactions were willful, wanton and reckless for which punitive damages and/or damages for aggravating circumstances are appropriate.

439. As a direct result of Defendants' fraud and conspiracy, Plaintiffs have suffered, and continue to suffer great pain of mind and body, shock, emotional distress, physical manifestations of emotional distress, embarrassment, loss of self-esteem, disgrace, humiliation, and loss of enjoyment of life; have been prevented and will continue to be prevented from performing their daily activities and obtaining the full enjoyment of life; and/or have incurred and will continue to incur expenses for medical and psychological treatment, therapy, and counseling.

COUNT VI – Fraudulent Misrepresentation

440. Plaintiffs incorporate the foregoing paragraphs of this Petition as if fully set forth herein.

441. Defendants Archdiocese and Archbishop engaged in ongoing misrepresentation regarding the status of Abusers.

442. The Defendant Archdiocese by and through its agents and administrators, represented that Abusers were priests or other officials with whom children could be trusted. The Defendants engaged in fraudulent misrepresentations as set forth herein.

443. At all relevant times, Defendants Archbishop and Archdiocese were mandated reporters under Missouri law. Defendants Archdiocese and Archbishop did not report Abusers' sexual improprieties to the appropriate authorities after receiving reasonable suspicion that Abusers may abuse children.

444. Defendants' actions in failing to report were part of an ongoing fraudulent scheme to prevent parishioners, children and the public from knowing that Abusers were predators.

445. Defendants kept one or more known pedophiles in the presence of children such that they would be allowed to molest Plaintiffs.

446. Defendants hid the fact of the previous abuse from any individuals that might intervene including parents, state authorities, parishes, and parishioners by falsely representing that one or more Abusers were individuals of character and safe to be with children at the same time that it received reports of abuse, sent one or more Abusers to counseling and treatment then returned them to the ministry, made misleading statements to the press with the intention that the public would be duped, failed to report Abusers' actions to the proper authorities even though they were mandated reporters, and tried to influence the prosecution of one or more Abusers.

447. Defendants failed to provide a safe environment for the children who relied upon them for their care, nurture and support.

448. Defendant Archbishop ratified the abuse by the Abusers by continuing to place one or more of them in parishes even after receiving multiple reports of sexual misconduct, sending one or more of them to treatment by placing them at other ministries and schools, paying travel expenses, allowing outings with and access to children including Plaintiffs to continue, moving them from parish to parish and hiding the fact of the abuse from other individuals or organizations that might intervene to protect the children under their care, custody and/or control after reports of abuse were made.

449. Defendants continued to hold the Abusers out to the community of the faithful and its parishioners as safe, secure parish priests and mentors.

450. Abusers, by holding themselves out as priests and other officials in good standing, falsely represented to the Plaintiffs that they intended to help, protect and instruct them.

451. One or more Abusers, by indicating the abuse was part of spiritual counseling, mentoring and advice, falsely represented to the Plaintiffs that the acts in which they engaged were part of God's will and plan and for the Plaintiffs.

452. One or more Abusers, by telling Plaintiffs that they would lose their church, family, and soul (and other such coercive, fraudulent misrepresentations) if they told of the actions that occurred in the sacristy and elsewhere, defrauded the plaintiff.

453. All Defendants knew such statements were false at the time they were made.

454. The Archdiocese and Archbishop intentionally hid from parents and others that one or more Abusers had abused children in the past.

455. Plaintiffs believed the statements so made by defendants were true and reasonably relied, to their detriment, upon them. They moreover capitulated to the very trust in the Archdiocese and Abusers instilled in them by their families and all Defendants such that Defendants' silence constituted fraudulent misrepresentation.

456. As a result of Defendants' fraudulent misrepresentations, Plaintiffs have been injured. Each and every one of his injuries caused by the sexual abuse by defendants has been exacerbated by this additional violation of the plaintiff's trust.

457. Defendants' actions and/or inactions were willful, wanton and reckless for which punitive damages are appropriate.

458. The fact that Defendants' agents, including Abusers had in the past and/or would in the future be likely to commit sexual misconduct with minors at the parish to which he was assigned would have been a material fact in Plaintiffs and their families' decisions whether to associate with the Abusers.

459. Plaintiffs justifiably relied upon Defendants for information relating to sexual misconduct of Defendants and their agents. Plaintiffs further relied upon Defendants to ensure their safety while in the Defendants' care and custody.

460. As a direct result of Defendants' wrongful conduct, Plaintiffs have suffered and continue to suffer great pain of mind and body, shock, emotional distress, physical manifestations of emotional distress, embarrassment, loss of self-esteem, disgrace, humiliation, and loss of enjoyment of life; have been prevented and will continue to be prevented from performing their daily activities and obtaining the full enjoyment of life; and/or have incurred and will continue to incur expenses for medical and psychological treatment, therapy, and counseling.

COUNT VII – Constructive Fraud

461. Plaintiffs incorporates all paragraphs of this Petition as if fully set forth herein.

462. Defendants Archdiocese and Archbishop, by holding Abusers out as a reliable, trustworthy shepherd, representative, and leader of the Roman Catholic Church, solicited and/or accepted a position of power. This position of trust prevented the Plaintiffs or those in charge of their safety from effectively protecting them and Defendants thus entered into fiduciary and/or confidential relationships with Plaintiffs.

463. As fiduciaries and/or confidantes to Plaintiffs, Defendants had a duty to obtain and disclose information relating to sexual misconduct and other inappropriate behavior of Defendant agents.

464. Defendant had prior knowledge of past allegations of abuse and/or sexual impropriety with children involving some or all Abusers.

465. Defendants had a duty to protect Plaintiffs and others from known perpetrators by warning them and others of the abuse, abusive propensities, and/or preventing Abusers from accessing young children in their role with the Church.

466. Defendants failed to disclose information regarding Abusers' abusive tendencies and history of inappropriate and sexually abusive relationships with children, or to prevent the priests from unfettered access to children.

467. Defendants failed to disclose their knowledge of Abusers' history of using their position as priest and counselor, the church properties, and the church resources and status to attract and gain access to unsupervised time with children.

468. Defendants actively represented that some or all Abusers were capable counselors, brothers, priests, and mentors when they knew some or all Abusers had a propensity to sexually abuse children in the past.

469. Defendants actively developed a plan and a strategy for keeping Abusers' abusive tendencies away from public light, a plan which included:

- a. Misrepresenting the safety of leaving a child alone with Abusers;
- b. Failing to warn Plaintiffs of the propensity of the Abusers to sexually abuse children;
- c. Moving some or all Abusers from parish to parish following reports of sexual misconduct;
- d. Failing to report any of the Abusers' sexual misconduct or other behaviors involving minors to law enforcement or state authorities;
- e. Aiding and abetting Abusers' abuse;
- f. Encouraging one or more Abusers to sexually abuse the Plaintiffs;

- g. Failing to take any action to stop the abuse it knew was occurring;
- h. Failing to provide a safe environment for the children who relied upon them for their care, nurturance and support;
- i. Violating its duties of care imposed by its status as *in loco parentis* to the children over whom it exercised dominion and control and the parents who entrusted their most precious possessions, their children;
- j. Enforcing the secrecy around the acts and/or teaching Plaintiffs that the acts were normal or necessary to the relationship;
- k. Hiding the fact of the previous abuse from any individuals that might intervene, including parents, state authorities, parishes and parishioners;
- l. Failing to abide by its own internal, secular policies and procedures concerning removal, sanction, or discipline of their agents and employees, knowing the individuals whom they serve rely upon those rules, policies and procedures;
- m. Failing to abide by its own internal, secular policies and procedures concerning investigation and/or reporting of their agents and employees, knowing that the individuals whom they serve rely upon those rules, policies and procedures;
- n. Representing that the Abusers were clergy or other agents of the Archdiocese in good standing.

470. Plaintiffs justifiably relied upon Defendants for information relating to sexual misconduct of Defendants’ agents. Plaintiffs and their families further relied upon defendants to ensure the safety of children in the Defendants’ care and custody.

471. Defendants’ actions and/or inactions were willful, wanton, and reckless such that punitive damages are appropriate.

472. As a direct result of Defendants' wrongful conduct, Plaintiffs have suffered and continue to suffer great pain of mind and body, shock, emotional distress, physical manifestations of emotional distress, embarrassment, loss of self-esteem, disgrace, humiliation, and loss of enjoyment of life; and will continue to be prevented from performing their daily activities and obtaining the full enjoyment of life; and/or have incurred and will continue to incur expenses for medical and psychological treatment, therapy, and counseling.

COUNT VIII – Intentional Infliction of Emotional Distress

473. Plaintiffs incorporate all paragraphs of this Petition as if fully set forth herein.

474. Defendants intentionally failed to supervise, remove or otherwise sanction some or all Abusers after they had actual notice of their dangerous propensities to abuse children and continued to place them in positions of authority over children and adolescents, including Plaintiffs.

475. Defendants knew or should have known that Abusers were unsuitable for the positions they held.

476. Defendants failed to adequately review and monitor the services which were provided by Abusers, intentionally turning a blind eye to misconduct directed at children.

477. Defendants intentionally failed to confront, remove, or sanction Abusers about known irregularities in employment.

478. Defendants failed to act upon information gained during the course of their supervision of Abusers.

479. Defendants intentionally failed to supervise the children within their care, custody or control from coming in contact with the known risk presented by Abusers.

480. At all times relevant, Defendant Archdiocese was in a fiduciary and/or confidential relationship with Plaintiffs. Instead of acting in the best interest of Plaintiffs, as required when one is in a fiduciary status, Defendant Archdiocese held out the Abusers with known histories of child sexual abuse as appropriate individuals with whom Plaintiffs should interact.

481. Defendants Archdiocese and Archbishop allowed and/or encouraged its agents to turn a blind eye toward sexual abuse of minors in furtherance of its policy of covering up these crimes.

482. Moreover, Defendants Archdiocese and Archbishop aided, abetted, and ratified the conduct of Abusers, who at the behest of Defendants held themselves out as moral teachers, guides, and religious authorities, as well as kind and caring surrogate father figures and mentors for Plaintiffs with the titles of legitimacy and trust Defendants bestowed upon them.

483. Abusers' teachings and positions within the Archdiocese juxtaposed against their sexual impropriety with Plaintiffs created a psychological and emotional conundrum for the young Plaintiffs. Plaintiffs could not process the value-laden messages in these contradictory acts, causing Plaintiffs to develop psychological dysfunction that resulted in his inability to discern or discover his injury and its cause.

484. The actions of Abusers were taken intentionally to cause such emotional distress as to prevent the Plaintiffs from revealing and/or understanding the import of the abuse, with reckless disregard as to the probable injuries that would result.

485. Abusers had a fiduciary and/or confidential relationship with Plaintiffs by virtue of their roles as priests, mentors, father figures, and authority figures to the young Plaintiffs. The power imbalance between Defendants and Plaintiffs increased Plaintiffs' vulnerability.

486. Abusers engaged in unconscionable, outrageous conduct beyond all possible bounds of decency and utterly intolerable in a civilized society. Said actions included without limitation, engaging in inappropriate sexual contact with Plaintiffs, using their role as a priest or other position to require Plaintiffs' silence either directly or indirectly, intentionally creating for Plaintiffs a psychological and moral disconnect that would ensure the silence of the Plaintiffs, and using their position of trust and confidence with Plaintiffs for their own personal and sexual gratification.

487. Upon information and belief, Defendants, by and through their agents, servants and employees, knew or reasonably should have known of Abusers' dangerous and exploitative propensities and/or that they were unfit agents, and despite such knowledge, Defendants and Abusers breached their duty to protect Plaintiffs when they failed to protect Plaintiffs from the sexual abuse described herein.

488. Abusers' actions and/or inactions were willful, wanton, and reckless such that punitive damages and/or damages for aggravating circumstances are appropriate.

489. The emotional distress experienced by Plaintiffs as a result of Abusers conduct is medically diagnosable and is of sufficient severity so as to be medically significant.

490. At all times relevant, Defendant Archdiocese and Archbishop engaged in extreme and outrageous conduct, intended to cause or committed in reckless disregard of the probability of causing emotional distress and harm. Additionally, or in the alternative, the conduct of Defendants and Abusers was extreme and outrageous and committed with the sole purpose of inflicting emotional distress upon Plaintiffs.

491. Defendants Archdiocese and Archbishop engaged in unconscionable, outrageous conduct beyond all possible bounds of decency and utterly intolerable in a civilized society.

Defendants' conduct caused Plaintiffs severe emotional distress of such a nature that no reasonable person in a civilized society could be expected to endure it.

492. Defendants' actions and/or inactions were willful, wanton and reckless for which punitive damages and/or damages for aggravating circumstances are appropriate.

493. Plaintiffs suffered medically significant and diagnosable distress as a result of Defendants' actions as set forth in the Background Facts Applicable to All Counts.

494. As a result of the above-described conduct, Plaintiffs have suffered, and continue to suffer great pain of mind and body, shock, emotional distress, physical manifestations of emotional distress that is medically diagnosable and significant, embarrassment, loss of self-esteem, disgrace, humiliation, and loss of enjoyment of life; have been prevented and will continue to be prevented from performing their daily activities and obtaining the full enjoyment of life; have sustained loss of earnings and earning capacity; and/or have incurred and will continue to incur expenses for medical and psychological treatment, therapy, and counseling.

COUNT IX – Intentional Infliction of Emotional Distress against John Doe I

495. Plaintiff incorporates all paragraphs of this Petition as if fully set forth herein.

496. John Doe I held himself out as a moral teacher, guide, and religious authority, as well as kind and caring surrogate father figure and mentor for Plaintiffs with the titles of legitimacy and trust Defendants bestowed upon them.

497. John Doe I's teachings and positions within the Archdiocese juxtaposed against his sexual impropriety with Plaintiffs created a psychological and emotional conundrum for A.A. A.A. could not process the value-laden messages in these contradictory acts, causing Plaintiffs to develop psychological dysfunction that resulted in his inability to discern or discover his injury and its cause.

498. The actions of John Doe I were taken intentionally to cause such emotional distress as to prevent A.A. from revealing and/or understanding the import of the abuse, with reckless disregard as to the probable injuries that would result.

499. John Doe I had a fiduciary and/or confidential relationship with A.A. by virtue of his role as a priest, mentor, father figure, and authority figure to A.A. The power imbalance between Defendants, John Doe I, and A.A. increased Plaintiffs' vulnerability.

500. John Doe I engaged in unconscionable, outrageous conduct beyond all possible bounds of decency and utterly intolerable in a civilized society. Said actions included without limitation, engaging in inappropriate sexual contact with A.A., using his role as a priest or other position to require A.A. silence either directly or indirectly, intentionally creating for A.A. a psychological and moral disconnect that would ensure the silence of A.A., and using his position of trust and confidence with A.A. for John Doe I's own personal and sexual gratification.

501. Upon information and belief, Defendants, by and through their agents, servants and employees, knew or reasonably should have known of John Doe I's dangerous and exploitative propensities and/or that he was an unfit agent, and despite such knowledge, Defendants and John Doe I breached their duty to protect Plaintiffs when they failed to protect Plaintiffs from the sexual abuse described herein.

502. Defendants and John Doe I's actions and/or inactions were willful, wanton, and reckless.

503. The emotional distress experienced by Plaintiffs as a result of John Doe I's conduct is medically diagnosable and is of sufficient severity so as to be medically significant.

504. As a result of the above-described conduct, Plaintiffs have suffered and continue to suffer great pain of mind and body, shock, emotional distress, physical manifestations of emotional

distress, embarrassment, loss of self-esteem, disgrace, humiliation, and loss of enjoyment of life; have been prevented and will continue to be prevented from performing their daily activities and obtaining the full enjoyment of life; have sustained loss of earnings and earning capacity; and/or have incurred and will continue to incur expenses for medical and psychological treatment, therapy, and counseling.

COUNT XI – Sexual Abuse against John Doe I

505. Plaintiff A.A. incorporates all paragraphs of this Petition as if fully set forth herein.

506. Defendant John Doe I engaged in sexual conduct and contact upon the person of A.A., a minor. Said acts were committed while Defendant was acting within the course and scope of employment with the Archdiocese, were committed while Defendant Archbishop was a managing agent of the Archdiocese and were ratified by the Archdiocese.

507. Defendants' actions were willful, wanton or reckless.

508. As a result of the above-described acts, Plaintiffs have suffered and continue to suffer great pain of mind and body, shock, emotional distress, physical manifestations of emotional distress, embarrassment, loss of self-esteem, disgrace, humiliation, and loss of enjoyment of life; were prevented and will continue to be prevented from performing their daily activities and obtaining the full enjoyment of life; have sustained loss of earnings and earning capacity; and/or have incurred and will continue to incur expenses for medical and psychological treatment, therapy, and counseling.

509. Upon information and belief, because of various psychological coping mechanisms and the insidious long-term and late developing injuries, A.A. did not discover and/or could not ascertain the nature or extent of her injuries and could make no causal connection between her psychological sequelae and the abuse until recently. Upon information and belief, A.A. fully and

completely repressed all memory of these events for an extended period of time. She was prevented from ascertaining their cause of action against Defendants due to the Defendants' fraudulent concealment.

COUNT X –Aiding and Abetting

510. Plaintiffs incorporate all paragraphs of this petition as if set forth fully herein.

511. The Archdiocese and Archbishop at all relevant times had the right to control the Abusers and John Doe I set forth herein.

512. Furthermore, the Archdiocese and Archbishop at all relevant times countenanced, approved, aided, abetted, and encouraged as principal the tortious acts of its employees (the Abusers and John Doe I), of committing sexual abuse and battery, intentional infliction of emotional distress, breach of special relationship and fiduciary duty, fraud, fraudulent misrepresentation, fraud, and intentional infliction of emotional distress.

513. The Archdiocese and Archbishop are vicariously liable for all wrongful acts and omissions of the Abusers and John Doe I set forth herein.

JURY TRIAL DEMANDED

514. Plaintiffs demand a trial by jury on all issues triable in this case.

PRAYER FOR RELIEF

515. WHEREFORE, Plaintiff asks that this Court award judgment against Defendants as follows: Awarding compensatory, statutory, punitive and any and all damages as allowed by law in favor of Plaintiffs against Defendants for damages sustained as a result of the wrongdoings of Defendants, together with interest thereon; awarding Plaintiffs their costs and expenses incurred in this action; and granting such other and further relief as the Court deems appropriate and just.

Dated: July 24, 2024

Respectfully Submitted,

/s/ D. Todd Mathews

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